

# **EXHIBIT 1**

## **Staff Report**

**From:**

**Enforcement Action 2010-49**

**October 29, 2010 Hearing**

**Agenda Item No. 15A**

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**Meeting of the Central Valley Flood Protection Board  
October 29, 2010**

**Staff Report – Enforcement Hearing**

**Mr. Robert and Mrs. Carrie Jo Sieglitz  
Sacramento County**

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**1.0 – ITEM**

Encroachment Enforcement Hearing for Mr. Robert and Mrs. Carrie Jo Sieglitz, property owners of 2817 Garden Highway, Sacramento, California.

Conduct a hearing regarding the Encroachment Removal Enforcement Notice No. 2010-49, dated April 12, 2010 (Attachment A) that was sent to the Respondents to consider ordering removal of unauthorized encroachments and restoration to the East levee of Sacramento River Flood Control Project. The encroachments listed in the notice are summarized into three categories, as follows:

- Item I:      Excavation of waterside levee toe to accommodate two storage units/Conex containers and a boat carrier.
- Item II:     Placement of uncontrolled fill material on the waterside slope perpendicular to the levee to serve as a secondary driveway.
- Item III:    Placement of encroachments (two 8.5 ft tall Conex containers, metal roof resting on the levee slope), and boat carrier within 10 ft from the waterside levee toe.

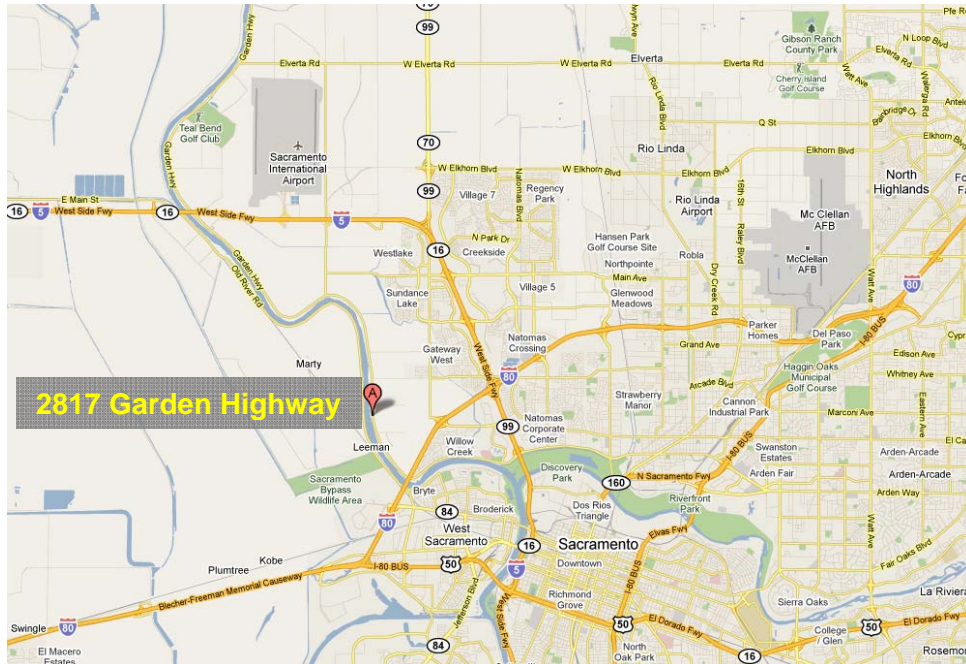
**2.0 – RESPONDENTS/PROPERTY OWNERS**

Mr. Robert A. and Mrs. Carrie Jo Sieglitz  
2817 Garden Highway  
Sacramento, CA 95833

Assessor's Parcel Number (APN) 225-0210-045

### **3.0 – LOCATION**

The encroachments are located west of Garden Highway along the East bank of the Sacramento River at approximately 0.72 miles downstream from San Juan Road opposite Levee Mile 15.03, Unit No. 1, Reclamation District 1000 in Sacramento County. Figures 1a and 1b show the vicinity map and an aerial view of the property at 2817 Garden Highway, respectively.



**Figure 1a- Vicinity map of the property at 2817 Garden Highway  
(Source: Google Maps)**



**Figure 1b- Aerial view of the property at 2817 Garden Highway  
(Source: modified from Google, Inc.)**

## **4.0 – APPLICABLE LAWS AND REGULATIONS**

### **4.1 – Water Code**

The Central Valley Flood Protection Board (“Board”) has the authority to enforce the “*erection, maintenance and protection of such levees, embankments and channel rectification as will, in its judgment, best serve the interests of the State*” (Water Code, § 8534). In addition, the Board has given assurances to the US Army Corps of Engineers (“Corps”) that the State will maintain and operate federal flood control works in accordance with federal law (Water Code, § 8708). The unauthorized encroachments have been identified by the Corps’ Periodic Inspection Report dated January 2010, as unacceptable and likely to prevent performance in the next flood event. Unauthorized encroachments that may interfere with or obstruct the operation or maintenance of the flood control works constitute a public nuisance and as such, if the respondent fails to remove such unauthorized encroachment, the Board may commence and maintain a suit in the name of the people of the State to abate the nuisance (Water Code, § 8709).

### **4.2 – California Code of Regulations Title 23 (CCR 23)**

The Board’s Regulations state that “*every proposal or plan of work...requires a Board approval prior to commencing any work*” (CCR 23, Section 6 (a)).

*The board requires applications to be filed for all proposed encroachments within the floodways under its jurisdiction (identified in Table 8.1) and on levees adjacent thereto, on any stream which may affect those floodways* (CCR 23, Section 112 (a)).

*The General Manager [subsequently re-titled as Executive Officer] may institute an enforcement proceeding by serving a notice by certified mail, return receipt requested, to the landowner or person (referred to hereafter as the “respondent”) owning, undertaking or maintaining a work that is in violation of this division or threatens the successful execution, functioning or operation of an adopted plan of flood control* (CCR 23, Section 20 (a)).

## **5.0 – STAFF ANALYSIS**

### **5.1 – Background**

The Local Maintaining Agency, Reclamation District 1000 (RD 1000), notified the Respondents of the unauthorized encroachments in letter dated October 10, 2008 (Attachment B, Exhibit A). The Respondents responded in a letter dated October 18, 2008 in which he stated no cut was made to the levee but rather to fill that had been placed at this location and the storage unit was outside of the levee easement (Attachment B, Exhibit B). RD 1000 sent a second letter dated March 16, 2010 to the Respondent informing him that he was still in violation and needed to obtain a Board permit and also noted the unauthorized fill just south of the unauthorized container (Attachment B, Exhibit C).

The U.S. Army Corps of Engineers (USACE) noted the storage unit and levee toe cut during their Periodic Inspection in January 2010 (Attachment C). RD 1000 notified the Board’s Encroachment Control Section on February 25, 2010 about the unauthorized encroachment at the Respondents’ property (2817 Garden Highway). Board Staff visited the site with the RD

Manager and a DWR Inspector on March 9, 2010. On April 12, 2010, Enforcement Notice & Order was issued to the Respondents (Attachment A). The Respondents contacted Board staff and requested to have an on-site meeting which took place on May 6, 2010. On May 27, 2010 Board staff received a hearing request from Respondents' Attorney and a letter acknowledging the hearing request sent to Respondents' Attorney on June 2, 2010 (Attachment B, Exhibits G and H, respectively). On September 3, 2010, the Board received a letter from the USACE in regards to the unauthorized encroachment at the Respondents property and requested a corrective action plan (Attachment B, Exhibit D). On September 20, 2010 RD1000 also sent a letter to the Board in support of the USACE letter (Attachment B, Exhibit F). The Board submitted a corrective action plan on letter dated September 28, 2010 (Attachment B, Exhibit E).

## 5.2 – Easements

On January 26, 1913, Reclamation District 1000 acquired the Deed recorded on Book 371 Page 404, which covers the Respondent's property, in which the following rights were transferred:

*"...for a right of way and easement for the purposes of building, constructing, enlarging and maintaining thereon, a levee or embankment for reclamation purposes only, in accordance with plans that have been or may hereafter be adopted by the party of the second part[RD1000]..."* (Attachment F, Exhibit A).

On June 26, 2009, RD 1000 and the Sacramento San Joaquin Drainage District (SSJDD) through the Board executed a Joint Use Agreement, in which the following rights were granted to the Board:

*"Construct, reconstruct, enlarge...repair and use flood control works, which shall include, but not be limited to...patrol roads, levees..."*

*"Clear and remove from said flood control works any and all natural or artificial obstructions, improvements, trees, and vegetation necessary for construction, operation, maintenance, repair, reconstruction, and emergency flood fight."* (Attachment F, Exhibit B).

## 5.3 – Basis for Recommended Board Actions

The basis for Board staff's encroachment removal and restoration identified in the Encroachment Removal Enforcement Notice 2010-49 dated April 12, 2010 is summarized as follows:

### **Item I: Excavation of waterside levee toe to accommodate two Conex containers and a boat carrier.**

- The levee toe was cut in order to accommodate the two Conex containers (see Attachment E). This is a violation of the Board's Regulations Section 112 (b), which states that *"banks, levees, and channels of floodways along any stream, its tributaries, or distributaries may not be excavated, cut, filled, obstructed, or left to remain excavated during the flood season."*
- The current waterside levee slope is almost near vertical as a result of the levee toe cut. This is a violation of the Board's Regulations Section 120 (a) (24), which states that *"the*

*finished slope of any project levee construction or reconstruction must be three (3) feet horizontal to one (1) foot vertical, or flatter, on the waterside and two (2) feet horizontal to one (1) foot vertical, or flatter, on the landside of the levee."*

- The levee cut and installation of the Conex containers and boat carrier interferes with RD 1000 operations. As such, the Respondents violated the Board's Regulations Section 133 (a), which states that "the owner or permittee must maintain the waterward slope of the levee and the utilized area within the floodway of the Sacramento River in the manner required by Reclamation District 1000 or any other agency responsible for maintenance."
- The Corps noted this encroachment during their Periodic Inspection in January 2010 (Attachment C).



**Figure 2a- Cut on waterside levee toe. Board staff site visit on March 9, 2010.**





Figure 2b- Cut on waterside levee toe. Board staff site visit on March 9, 2010.



**Figure 2c- Cut in the waterside levee slope to accommodate encroachments. Board staff site visit May 6, 2010.**

**Item II: Placement of uncontrolled fill material on the waterside slope perpendicular to the levee to serve as a secondary driveway.**

- The respondents have placed uncontrolled fill material to serve as an alternate driveway to the property without prior Board approval. This action is in violation of the Board's Regulations Section 115 (a) which states *"dredged, spoil, or waste materials, regardless of their composition, may not be deposited on the levee crown, levee slopes, or within the limits of a project floodway without specific prior approval of the board."*
- The placement of fill material on the waterside of the levee consists of uncompacted debris and broken concrete. In the event of a storm, the debris will flow onto the channel and cause additional sedimentation. This action is in violation of the Board's Regulations Section 116 (6), which states *"stockpiles of materials or the storage of equipment, unless securely anchored, downed trees or brush, and floatable material of any kind are not allowed within a floodway during the flood season as defined in Table 8.1."*
- The fill material used to serve as a driveway is not suitable material in accordance with the Boards' Regulations Section 130 (c) (1), which states that *"access ramps must be constructed of approved imported material."*



- The fill material was not compacted in accordance with the Board's Regulations Section 130 (c)(3), which states that *"any excavation made in a levee section to key the ramp to the levee must be backfilled in four– (4) to six– (6) inch layers with approved material and compacted to a relative compaction of not less than ninety (90) percent per ASTM D1557–91, dated 1991, and above optimum moisture content."*
- The placement of uncontrolled fill interferes with RD 1000 activities and as such is in violation of the Board's Regulations Section 133 (a), which states *"the owner or permittee must maintain the waterward slope of the levee and the utilized area within the floodway of the Sacramento River in the manner required by Reclamation District 1000 or any other agency responsible for maintenance."*



**Figure 3a- Placement of uncontrolled fill material in the waterside slope perpendicular to the levee to serve as a secondary driveway. Board staff site visit on May 6, 2010.**





**Figure 3b- Placement of uncontrolled fill material in the waterside slope, May 6, 2010.**



**Figure 3c-Uncontrolled fill on the levee waterside slope at early stage of construction. Board staff site visit on March 9, 2010.**



**Item III: Placement of encroachments (two 8.5 ft tall Conex containers, metal roof resting on the levee slope), and boat carrier within 10 ft from the waterside levee toe.**

- The placement of the two Conex containers and boating facilities are not properly anchored and therefore are in violation of the Board's Regulations Section 137 (i), which states that *"the storage of materials or equipment, unless securely anchored...and floatable material of any kind are not allowed within the floodway during the flood season.."*
- The placement of the metal roof above the storage units interferes with RD 1000 activities and therefore is in violation of the Board's Regulations Section 133 (a).



**Figure 4a- Conex containers with metal roof and boat carrier within 10 feet from the waterside levee toe. Board staff site visit on March 9, 2010.**





**Figure 4b- Metal Roof. Board staff site visit on May 6, 2010.**



**Figure 4c-Conex containers, metal roof and boat carrier. Board staff site visit on March 9, 2010**

## **6.0 –CEQA ANALYSIS**

Board staff has prepared the following CEQA determinations:

The Board, acting as the CEQA lead agency, has determined the project is categorically exempt in accordance with CEQA Guidelines Section 15321 under Class 21 (a) actions of regulatory agencies to enforce standards and Section 15301 under Class 1 covering the minor alteration of existing public or private structures and facilities.

## **7.0 – STAFF RECOMMENDATION**

These determinations constitute significant evidence that these encroachments may interfere with the maintenance, performance, or functioning of the Sacramento River Flood Control Project and the adopted plan of flood control pursuant to Water Code sections 8708 and 8709. Pursuant to Water Code section 8708, the State has given assurances to the Corps that the State will maintain and operate federal flood control works. Therefore, the State is obligated to enforce the removal or modification of encroachments that impact the integrity of the levee or the capacity of the flood channel.

Furthermore, pursuant to Water Code section 8709, if an encroachment “*does or may interfere with or obstruct the operation or maintenance*” of the flood control works, the encroachments constitute a public nuisance. Therefore, the Board may commence or authorize actions to abate such nuisance.

Based on the findings of this report, Board staff recommends the Board determine the encroachment removal to be exempt from CEQA, approve enforcement action 2010-49, order removal of the unauthorized encroachments and order restoration of the levee slope.

## **8.0 – LIST OF ATTACHMENTS**

- A. Board Enforcement Notice and Order No. 2010-49 dated April 12, 2010
- B. Correspondence
  - Exhibit A- RD 1000 Notified Respondents of violation in letter dated October 10, 2008
  - Exhibit B- Respondents letter dated October 18, 2008
  - Exhibit C- RD 1000 letter to Respondents dated March 16, 2010.
  - Exhibit D- U.S. Army Corps of Engineers letter dated September 3, 2010
  - Exhibit E- Board letter with proposed corrective action dated September 28, 2010.
  - Exhibit F- RD 1000 letter dated September 20, 2010
  - Exhibit G- Hearing request from Respondents' representative on May 27, 2010
  - Exhibit H- Board acknowledgement of hearing request to Respondent's Attorney on June 2, 2010
  - Exhibit I- Notice to Respondent to appear for hearing dated October 7, 2010
- C. USACE Periodic Inspection Report dated January 2010.
- D. Psomas survey dated June 2, 2010
- E. Site cross sections dated October 2010
- F. Easement Information
  - Exhibit A- Deed Book 371 Page 404
  - Exhibit B- Joint Use Agreement (CA 5049, Unit 107)
- G. USACE As-Builts
  - Exhibit A- Sacramento River Flood Control Project, East levee from Natomas Cut to American River, dated March 1952 (only pages relevant to enforcement action)
  - Exhibit B- Sacramento River Urban Levee Reconstruction Project dated February 7, 1991(only pages relevant to enforcement action)

Report Prepared by: Angeles Caliso  
Ali Porbaha  
Document Review: Len Marino  
Curt Taras



**CENTRAL VALLEY FLOOD PROTECTION BOARD**

3310 El Camino Ave., Rm. 151  
SACRAMENTO, CA 95821  
(916) 574-0609 FAX: (916) 574-0682  
PERMITS: (916) 574-0685 FAX: (916) 574-0682



**Sent Via U.S. Certified Mail Return Receipt Requested**

**ENCROACHMENT REMOVAL ENFORCEMENT NOTICE**

**Property Owner:** Mr. Carrie Jo Sieglitz  
**Mailing Address:** 2817 Garden Highway  
Sacramento, CA 95833

**Date:** APR 12 2010  
**Enforcement Action:** 2010-49

**Encroachment Location:** Sacramento River, Project Levee (East Bank)  
**Local Maintaining Agency:** Reclamation District 1000  
**Assessor Parcel Number:** 225-0210-045

**Description:** The State of California - Central Valley Flood Protection Board (Board) staff has documentation that encroachment violations of the State Plan of Flood Control exist within its jurisdiction at this encroachment location consisting of the following:

1. Excavation of waterside levee toe to accommodate a storage unit.
2. Placement of a storage unit with metal roof within 10 ft from the waterside levee toe.
3. Placement of a boat and boat carrier within 10 ft from the waterside levee toe.
4. Placement of utility lines associated with the storage unit.
5. Placement of flushed concrete pad within 10 ft from the waterside levee toe.
6. Placement of fill material adjacent to waterside slope.

**Regulations:** These encroachments are in violation of provisions in the California Water Code and the California Code of Regulations (CCR) Title 23 Waters, Division 1. The United States Army Corps of Engineers has also determined that these encroachments are in violation of provisions of the Code of Federal Regulations (CFR) Title 33--Navigation and Navigable Water, Part 208 --Flood Control Regulations. The provisions are as follows:

1. 33 CFR 208.10 Local flood protection works; maintenance and operation of structures and facilities.
2. California Water Code Section 8708 Flood Control - Interference with Maintenance & Operation of Works.
3. California Water Code Section 8709 Flood Control - Public Nuisance; Abatement.

**Conditions:** Removal of the identified encroachments shall be completed in accordance with the attached enforcement conditions within sixty (60) days of receipt of this notice. To comply with this notice please schedule a compliance inspection within 10 days of the start of removal work. The rights of the Respondent and the Board are detailed in the attached enforcement order.

**Staff Contact:** The staff member assigned this enforcement action is: Angeles Caliso, EIT, Engineer, Encroachment Control and Land Use Section; E-mail: [acaliso@water.ca.gov](mailto:acaliso@water.ca.gov); Desk: (916) 574-2386.

Signed,

  
Jay S. Punia  
Executive Officer

**Attachments:**

1. Enforcement Order
2. Enforcement Conditions
3. Four pictures from the site dated March 9, 2010

**CENTRAL VALLEY FLOOD PROTECTION BOARD**

3310 El Camino Ave., Rm. LL40  
SACRAMENTO, CA 95821  
(916) 574-0609 FAX: (916) 574-0682  
PERMITS: (916) 574-0685 FAX: (916) 574-0682

**ENCROACHMENT REMOVAL ENFORCEMENT ORDER**

The State of California - Central Valley Flood Protection Board (Board) has determined that encroachments in violation of the California Water Code or of the more specific California Code of Regulations (CCR) Title 23 Waters, Division 1 are constructed works or activities that threaten the successful execution, functioning, operations, or maintenance of an adopted plan of flood control. California Water Code Section 8709 also states that an encroachment that interferes with or obstructs such operation and maintenance constitutes a public nuisance. You are therefore requested to cease the encroaching activity and remove the encroachments described in the enforcement notice. You may obtain a compliance inspection of the encroachment removal by contacting the inspection section identified in the notice ten (10) days prior to the start of removal work. Restoration of the encroachment removal site shall be completed in accordance with the specifications found in the California Code of Regulations Title 23, Div 1, Article 8, Section 120 Levees which are summarized in the attached enforcement conditions.

**Respondents Rights:** The landowner or person owning, undertaking, or maintaining the work that is the subject of the attached notice is the respondent. The respondent has the opportunity to an enforcement hearing which must be requested in writing within 30 days of receipt of this notice. All hearings are open to the public and are held by one or more members of the Board or a designated hearing officer. Failure to file a hearing request response within thirty (30) days constitutes a waiver of the respondent's right to a hearing. The respondent and other parties may request the board provide a copy of any document not exempt from disclosure under the Public Records Act that is relevant to the enforcement proceedings. The Board may charge a reasonable fee for each copy.

**Board's Rights:** If the respondent fails to comply with this notice within the specified timelines, the Board may seek judicial enforcement and commence and maintain a suit in the name of the People of the State of California for the prevention and abatement of the nuisance. A failure to comply with this notice renders the owner or operator of any of the encroaching structures liable to any person for the damages caused by the structure's failure. The Board may also physically remove the violating encroachments using a contractor or the local maintaining agency and recover its costs from the respondent. Further, the Board may abate violations or threats to the adopted plan of flood control by requiring you to take an action, at your cost, that may include, but is not limited to: (1) removal of the work; (2) alteration of the work; (3) performance of additional work; (4) implementation of specified mitigation for effects on the environment; (5) compliance with additional reasonable conditions; (6) filing an application for a permit pursuant to this division; or (7) revocation of a permit.

A handwritten signature in blue ink that reads "Jay S. Punia".

Jay S. Punia  
Executive Officer



**CENTRAL VALLEY FLOOD PROTECTION BOARD**

3310 El Camino Ave., Rm. LL40  
SACRAMENTO, CA 95821  
(916) 574-0609 FAX: (916) 574-0682  
PERMITS: (916) 574-0685 FAX: (916) 574-0682

**ENFORCEMENT CONDITIONS**

**Property Owner:** Mr. Carrie Jo Sieglitz  
**Mailing Address:** 2817 Garden Highway  
Sacramento, CA 95833

**Date:** APR 12 2010  
**Enforcement Action:** 2010-49

**Encroachment Location:** Sacramento River, Project Levee (East Bank)  
**Local Maintaining Agency:** Reclamation District 1000  
**Assessor Parcel Number:** 225-0210-045

**GENERAL CONDITIONS:**

1. These enforcement conditions are issued under the provisions of Sections 8700-8723 of the California Water Code and the provisions of the California Code of Regulations, Title 23 Waters, Division 1, Article 8 Standards.
2. The property owner is responsible for all personal liability and property damage which may arise out of failure on the property owner's part to perform the obligations under this enforcement order. If any claim of liability is made against the State of California, or any departments thereof, the United States of America, a local district or other maintaining agencies and the officers, agents or employees thereof, the property owner shall hold each of them harmless from each claim.
3. Should any of the work not conform to the conditions of this enforcement notice, the property owner, upon order of the Central Valley Flood Protection Board, shall in the manner prescribed by the Board be responsible for the cost and expense to remove, alter, relocate, or reconstruct all or any part of the work herein described.

**REMOVAL CONDITIONS:**

1. The Property Owner shall contact the Encroachment Control and Land Use Section by telephone at (916) 574-0609, to schedule an inspection conference at least 10 working days prior to start of work.
2. Encroachment removal work defined by this enforcement notice can NOT be completed during the flood season from November 1<sup>st</sup> through April 15<sup>th</sup>.
3. All unauthorized encroachment items within the levee section and easement area mentioned in the attached Enforcement Notice need to be removed and levee restored.

**RESTORATION CONDITIONS:**

1. Backfill all voids following the removal of the unauthorized encroachments within the levee section and easement area.
2. Fill material shall be placed in 4-inch to 6-inch layers, moisture conditioned with water or by drying to  $\pm 2$  percent of optimum moisture content, and compacted with a vibratory plate compactor or hand operated hammer to a minimum of 97 percent relative compaction as measured by ASTM Method D698.



3. Levee fill material must be free of stones or lumps exceeding three (3) inches in greatest dimension, and must be free of vegetative matter or other unsatisfactory materials.
4. Fill on levee section shall be keyed into the existing levee section whenever there is substantial fill, as determined by the inspector.
5. The finished slope of the levee must be 3:1 (horizontal:vertical) on the waterside of the levee.
6. Levee surfaces left barren due to encroachment removal shall be re-vegetated with sod or seeded grass.









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RECLAMATION  
DISTRICT 1000

October 10, 2008

Resident  
2817 Garden Highway  
Sacramento, CA 95833

Dear Resident;

During the recent inspection of the Garden Highway levee by me, I observed you have cut into the waterside levee slope adjacent to the edge of the Garden Highway, and placed a structure or storage unit in the area of the cut. We were not able to do a thorough investigation at the time because of other obligations and the potential risk posed by the dog which appeared to be loose on the premises. However, we need to return and review the situation with you to determine what action may be necessary to stabilize the levee before the coming flood season. The cut into the levee may have impacted its structural integrity and we need to make an engineering assessment.

The levees and adjacent areas are either owned in fee or have a flood control easement held by the State of California (Central Valley Flood Protection Board) and/or the Reclamation District No. 1000. As such, any encroachment or work within this area requires a permit from the State Flood Protection Board with an endorsement by our District. A search of our records does not show a permit was issued for altering the levee slope at this location.

Please contact our office as soon as possible so we can arrange for a time to access the property and inspect the cut in the levee to determine the appropriate action. If we do not hear from you by October 17, we will need to move forward with necessary action to insure the stability of the levee for the coming flood season. So once again, please contact me so we can access the property and determine the appropriate action to stabilize the levee; my office phone is 922-1449 and my e-mail is [pdevereux@rd1000.org](mailto:pdevereux@rd1000.org)

Sincerely,

Paul Devereux  
General Manager/District Engineer

cc Gary Hester (CV Flood Protection Board)  
Clay Thomas (State DWR--Levee Inspection)  
Jim Day (Day, Carter, Murhpy)



October 18, 2003

Paul Devoreux  
General Manager/District Engineer  
Reclamation District 1000  
1633 Garden Hwy  
Sacramento, CA 95833

922.1449

Re: 2817 Garden Hwy - Your Letter

Sir:

Reference your letter of October 10, regarding your observations of the property at 2817 Garden Hwy.

The, "cut," you observed was actually a cut in the fill that was added against the angle of repose of the levee slope. (Said fill being evidence by type of earth and the toe location of the levees where fill and rip rap has not been added over the years.)

The levee right of way and the easement adjacent to it are clearly delineated in public records as being 32.5' from the centerline of the levee. (20 feet from the centerline of the levee to the edge of the right of way and a parallel easement 12½' from the edge of the right of way into the above property.) The storage containers are on the property significantly beyond the extent of the above described right of way and easement.

The storage containers have been in the location where you saw them for over 25 years. There has been no relocation or modification of the earth between them and the river with the exception of building up a walking path between the containers and the earth. No levee damage or breach has occurred in this area since the containers were installed.

Sincerely

Robert A. Sieglitz, trustee  
Carrie Jo Sieglitz Trust



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RECLAMATION  
DISTRICT 1000

March 16, 2010

Resident  
2817 Garden Highway  
Sacramento, CA 95833

Dear Resident;

By our letter dated October 8, 2008 we noted the cut in the levee made on your property to accommodate a storage unit and raised concerns about its impact on the structural integrity of the levee. Those concerns have not gone away and our District will be working with the State Central Valley Flood Protection Board (CVFPB) to do an engineering assessment of the levee and determine the appropriate action to be done this summer.

However, we have noticed additional fill material being imported to the site containing dirt, concrete and other construction debris. Please note, any works on the levee or in the floodway requires a permit from the CVFPB prior to commencing the work. As such, you are hereby directed to cease any more work at the site until the appropriate permit is obtained. In the response to my October 2008 letter, you described some levee easement tied to the centerline of the Garden Highway. Please note, Reclamation District 1000 has a levee easement which extends from the landside of the levee to the low water mark of Sacramento River. In addition, the State of California regulates the flood control system under the California Water Code (Title 23) which prohibits activities such as you have undertaken without permission.

Please contact me via email or phone so we can arrange a time for District and CVFPB staff to meet with you at the property to discuss these issues and determine the next steps to repair the site and restore the structural integrity of the levee. My office phone is 922-1449 and my e-mail is [pdevereux@rd1000.org](mailto:pdevereux@rd1000.org)

Sincerely,

Paul Devereux  
General Manager/District Engineer

cc Curt Taras (CV Flood Protection Board)  
Clay Thomas (State DWR--Levee Inspection)  
John Bassett (SAFCA)



REPLY TO  
ATTENTION OF

DEPARTMENT OF THE ARMY  
U.S. Army Engineer District, Sacramento  
Corps of Engineers  
1325 J Street  
Sacramento, California 95814-2922

RECEIVED  
SEP 13 2010

Flood Protection and Navigation Section

SEP 03 2010

Mr. Benjamin Carter, President  
Central Valley Flood Protection Board  
3310 El Camino Avenue, Room 151  
Sacramento, California 95821

Dear Mr. Carter:

We have conducted a periodic inspection in Reclamation District 1000 – Natomas Basin. During the inspection, we noted numerous encroachments that appear to be unpermitted and may have a negative impact on structural stability, inspection, operations, maintenance and/or flood fighting activities. You will receive additional information regarding these encroachments and other deficiencies following completion of the periodic inspection report.

We identified an encroachment located at 2817 Garden Highway that requires your immediate attention. It appears that the landowner excavated the waterside levee slope to place two shipping containers (Enc 1). This encroachment does impact the structural stability of the levee. The Central Valley Flood Protection Board (Board) staff has initiated enforcement proceedings for this encroachment in accordance with Title 23. The Board has not moved forward with a hearing to remedy the threat to the flood risk reduction system.

In accordance with California's Central Valley Flood System Improvement Framework, Enforcement section, the Central Valley Flood Protection Board is responsible for addressing "encroachments affecting flood fighting activities or levee integrity." A corrective action plan shall be submitted to the Flood Protection and Navigation Section, attn: Mr. Ryan Larson within 30 days of this letter. The corrective action plan shall include a time period required to correct the deficiency. If the deficiency is not corrected within the specified timeframe or no corrective action plan is submitted, the Reclamation District 1000 - Natomas Basin system will no longer be eligible for PL 84-99 rehabilitation assistance. This system will remain eligible for emergency flood fighting support in cases where local and state resources are overwhelmed.

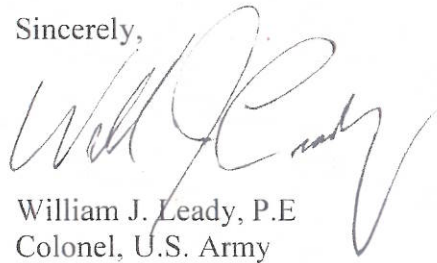
We have determined that this deficiency could prevent the system from performing as intended during the next flood event. In the interest of public safety, we request that you correct this deficiency prior to this flood season. Upon completion, please send a letter to this office documenting that the encroachment has been removed. The letter should include before and after photographs. Repairs shall be made in accordance with U.S. Army Corps of Engineers' standards for levee construction. If you request that the landowner make the repairs, we request that you have a representative on site.



-2-

A copy of this letter is being furnished to Mr. Jay Punia, Executive Officer, Central Valley Flood Protection Board, 3310 El Camino Avenue, Suite 151, Sacramento, CA 95821, Mr. Don Rasmussen, Chief, Flood Project Integrity and Inspection Branch, 3310 El Camino Avenue, Suite LL30, Sacramento, CA 95821, and Mr. Paul Devereux, General Manager, Reclamation District 1000, 1633 Garden Highway, Sacramento, CA 95833.

Sincerely,

A handwritten signature in dark ink, appearing to read "William J. Leady", is written over the typed name and title.

William J. Leady, P.E  
Colonel, U.S. Army  
District Commander















**CENTRAL VALLEY FLOOD PROTECTION BOARD**

3310 El Camino Ave., Rm. 151  
SACRAMENTO, CA 95821  
(916) 574-0609 FAX: (916) 574-0682  
PERMITS: (916) 574-0685 FAX: (916) 574-0682



September 28, 2010

Mr. Ryan Larson  
Navigation and Flood Control Section  
U.S. Army Corps of Engineers  
Sacramento District Office  
1325 J Street, Room 1480  
Sacramento, California 95814-2922

Subject: Corrective Action Plan for unauthorized encroachment at 2817 Garden Highway, Sacramento, CA.

Dear Mr. Larson:

This is in response to Colonel William J. Leady's September 3, 2010 letter regarding the unauthorized encroachments at 2817 Garden Highway in Sacramento. The Central Valley Flood Protection Board (Board) is aware of this unauthorized encroachment and the impact it may have on the performance of the flood control system. As a result, the Board's staff has issued an Enforcement Notice and Order to Mr. Sieglitz on April 12, 2010 ordering the removal and restoration of the levee slope. A copy of the Enforcement Order is attached for your reference. On May 27, 2010 Mr. Sieglitz requested a hearing before the Board to contest the Enforcement Order. A copy of said letter is also attached for your reference. The Enforcement Hearing for Mr. Sieglitz is currently scheduled for the Board's meeting on October 21, 2010.

The timeframe to complete the encroachment enforcement process is discussed in the newly adopted Board enforcement proceedings pursuant to Title 23. A copy of the Board's enforcement proceedings is attached for your information. As you know, no construction is allowed during flood season (November 1 to April 15). So, depending on the Board's decision, we anticipate that removal of the referenced encroachment and restoration of the levee section will begin April 16, 2011 and the construction work will be completed by June 16, 2011. We will keep you apprised on the status of the hearing and enforcement for this encroachment.

If you have additional questions, please contact me at (916) 574-0609 or via e-mail at [jpunia@water.ca.gov](mailto:jpunia@water.ca.gov) ; or you may contact Len Marino, Chief Engineer of the Board, at (916) 574-0608 or via e-mail at [lmario@water.ca.gov](mailto:lmario@water.ca.gov).

Sincerely,

Jay S. Punia  
Executive Officer  
Central Valley Flood Protection Board

(Please see attached list of Attachments and cc's.)

Attachments:

1. Enforcement Notice and Order 2010-49
2. Mr. Sieglitz Request for hearing letter
3. Board's enforcement proceedings
4. U.S. Army Corps of Engineers Letter dated Sept. 3, 2010 (Mr. Sieglitz only)

cc: Mr. Paul Devereux, General Manager  
Reclamation District 1000  
1633 Garden Highway  
Sacramento, California 95833

Mr. Don Rasmussen, Chief  
Flood Project Integrity and Inspection Branch  
Department of Water Resources

Mr. Robert Sieglitz  
2817 Garden Highway  
Sacramento, CA 95833

Stein M. Buer, P.E., Executive Director  
Sacramento Area Flood Control Agency  
1007 7th Street  
Sacramento, CA 95814



RECLAMATION  
DISTRICT 1000

September 20, 2010

Mr. Benjamin Carter, President  
Central Valley Flood Protection Board  
3310 El Camino Avenue, Room 151  
Sacramento, CA 95821

Dear Mr. Carter;

Our District is in receipt of a letter dated September 3, 2010 addressed to you from Colonel William Leady, District Commander for the Sacramento District for the Corps of Engineers. The letter references the Corps recent Periodic Levee Inspection Report and in particular calls attention to an unauthorized encroachment which has been noted at 2817 Garden Highway. The letter further requests a corrective action plan be submitted by the Central Valley Flood Protection Board (Board) and states if a plan is not submitted or the deficiency is not corrected within the time specified in the plan, our District will no longer be eligible for PL 84-99 rehabilitation assistance. On behalf of our District I strongly urge your compliance with the Corps request to insure we do not lose our PL 84-99 eligibility given the significant flood risk facing Natomas as you are aware.

Our District's staff first noted this unauthorized encroachment in 2008 and sent a letter notifying the property owner of the violation, which your office was copied. The Corps again noted this encroachment during their Periodic Levee Inspection in January of this year and has stated it does impact the structural stability of the levee. In April of this year, your staff sent an Encroachment Removal Enforcement Order to the property owner which we appreciate and support. Soon thereafter, our respective staffs met with the property owner on site to discuss the safety risks associated with the unauthorized encroachment and urge their compliance. However, to date the property owner has not complied with the notice and has requested a hearing before your Board.

Based on the letter from the Corps, and the potential flood risk posed by this unauthorized encroachment we request you move forward with the required hearing as soon as practical so this matter may be brought to resolution quickly and efficiently. Our District is ready to work with your Board on a reasonable corrective action plan as requested by the Corps to remain PL 84-99 eligible.

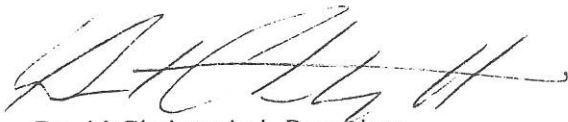
Through the years our District has been a strong partner of the Board in our joint flood safety mission. We are constantly educating our constituents, through community meetings, newsletters and our website, on the flood risk facing Natomas and the work being done by local flood control officials together with the State to meet these challenges. On the enforcement side, our staff inspects the levees regularly looking for any potential issues which could affect the stability of the levees including unauthorized encroachment activities. Upon observing such activities, we immediately send letters to property owners advising them of the need for a permit citing our operation and



maintenance requirements as well as the critical public safety function provided by the levees. However, we need your support, through actions such as being requested for the encroachment cited above, to reinforce our collective responsibilities and authorities.

In conclusion, I urge your Board to take action in accordance with the Encroachment Removal Enforcement Order and the September 3, 2010 letter from Colonel Leady for the unauthorized encroachment at 2817 Garden Highway. Thank you in advance for your action on this issue.

Sincerely,

A handwritten signature in dark ink, appearing to read 'D. Christophel', with a stylized flourish at the end.

David Christophel, President  
Board of Trustees

cc Colonel William Leady, P.E. (Corps of Engineers)  
Jay Punia (Central Valley Flood Protection Board)  
Stein Buer (SAFCA)  
Meegan Nagy (Corps of Engineers)



KNOX  
LEMMON  
ANAPOLSKY  
SCHRIMP LLP

Thomas S. Knox  
John M. Lemmon  
Louis J. Anapolsky  
Angela Schrimp de la Vergne

OF COUNSEL  
Grace J. Bergen

ATTORNEYS-AT-LAW  
300 Capitol Mall, Suite 1125  
Sacramento, California 95814-4339

TELEPHONE: (916) 498-9911  
FACSIMILE: (916) 498-9991  
[www.klalawfirm.com](http://www.klalawfirm.com)

Stephen J. Byers  
Kurt D. Hendrickson  
Catherine E. Wise  
Laurel E. Dein

Sender's E-Mail:  
tknox@klalawfirm.com

May 27, 2010

**HAND DELIVERED**

Jay S. Punia  
Executive Officer  
Central Valley Flood Protection Board  
3310 El Camino Ave., Rm. 151  
Sacramento CA 95821

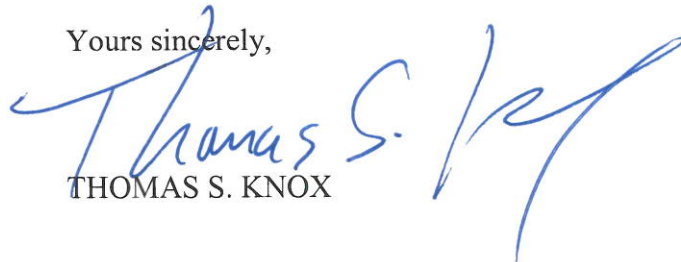
**Re: Your Enforcement Action No. 2010-409**  
**Property Owners: Robert and Carrie Sieglitz**  
**2817 Garden Highway**  
**Sacramento CA 95833**  
**APN 225-0210-045**  
**Location: Sacramento River, Project Levee (East Bank)**  
**Local Maintaining Agency: Reclamation District 1000**

Dear Mr. Punia:

My firm represents Robert and Carrie Sieglitz, owners of the property referenced above. Pursuant to the Encroachment Removal Enforcement Order delivered to them on April 27, 2010, Mr. and Mrs. Sieglitz request an enforcement hearing. They further request copies of any documents held by the Board that are relevant to the Board's enforcement proceedings. You may have the documents sent to me.

Thank you for your prompt attention to this matter.

Yours sincerely,

  
THOMAS S. KNOX

TSK/smd  
cc: Robert and Carrie Sieglitz

STATE OF CALIFORNIA – CALIFORNIA NATURAL RESOURCES AGENCY

ARNOLD SCHWARZENEGGER, GOVERNOR

**CENTRAL VALLEY FLOOD PROTECTION BOARD**

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June 2, 2010

Mr. Thomas S. Knox, Attorney at Law  
Knox Lemmon Anapolsky Schrimp, LLP  
300 Capitol Mall, Suite 1125  
Sacramento, California 95814-4339

Subject: **Acknowledgement of Receipt of Request for Hearing**

Enforcement Action: 2009-49

Property Owner: Mr. Robert & Mrs. Carrie Sieglitz

Property Address: 2817 Garden Highway, Sacramento, California 95833

Dear Mr. Knox:

The staff of the Central Valley Flood Protection Board (Board) hereby acknowledges the receipt of your letter dated May 27, 2010, representing the above-mentioned property owner who requested an enforcement hearing.

A written notice of the hearing date will be mailed to the respondent and each other party at least ten (10) days prior to the date of the hearing.

Should you have any questions, please contact Mr. Curt Taras, Chief of the Floodway Encroachment and Enforcement Branch, at (916) 574-0684, or by e-mail at [ctaras@water.ca.gov](mailto:ctaras@water.ca.gov).

Sincerely,

Jay S. Punia  
Executive Officer

**CENTRAL VALLEY FLOOD PROTECTION BOARD**

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SACRAMENTO, CA 95821  
(916) 574-0609 FAX: (916) 574-0682  
PERMITS: (916) 574-0685 FAX: (916) 574-0682

**Sent Via Certified Mail**

October 7, 2010

Mr. Robert and Mrs. Carrie Jo Sieglitz  
2817 Garden Highway  
Sacramento, California 95833

Subject: Hearing for Enforcement Action 2010-49

Dear Mr. & Mrs. Sieglitz:

Your requested hearing for Enforcement Action 2010-49 will be held at 8:30 AM on Friday October 29<sup>th</sup>, 2010. The final agenda will be published on the Central Valley Flood Protection Board's website, [www.cvfpb.ca.gov](http://www.cvfpb.ca.gov), approximately 10 days prior to the meeting. The location for the hearing will be the Resources Building Auditorium, on the first floor, at 1416 Ninth Street, Sacramento, CA 95814. Attached is a copy of the Board Enforcement Proceeding Governing Procedures, as well as copies of additional correspondence from the U.S. Army Corps of Engineers, and from Reclamation District 1000 in regard to this enforcement action.

Should you have any questions, please contact Mr. Ali Porbaha of the Encroachment Control and Land Use Section at (916) 574-2378, or email him at [mporbaha@water.ca.gov](mailto:mporbaha@water.ca.gov).

Sincerely,

*Ali Porbaha*

*for* Curt Taras, PE, MSCE, Chief  
Floodway Encroachment and Enforcement Branch

**Attachments:**

1. Board Enforcement Proceeding Governing Procedures
2. U.S. Army Corps of Engineers letter dated September 3, 2010
3. Reclamation District 1000 letter dated September 20, 2010
4. Board Corrective Action Plan for 2817 Garden Highway dated September 28, 2010

cc: (See attached list)

Ms. & Mr. Sieglitz

October 7, 2010

Page 2 of 2

cc: Mr. Thomas S. Knox, Attorney at Law  
Knox Lemmon Anapolsky Schrimp, LLP  
300 Capitol Mall, Suite 125  
Sacramento, California 95814-4339

Mr. Paul Devereux, General Manager  
Reclamation District 1000  
1633 Garden Highway  
Sacramento, California 95833

Mr. Ryan Larson  
Navigation & Flood Control Section  
U.S. Army Corps of Engineers  
Sacramento District Office  
1325 J Street, Room 1480  
Sacramento, California 95814-2920



**CENTRAL VALLEY FLOOD PROTECTION BOARD ENFORCEMENT**  
**PROCEEDINGS PURSUANT TO TITLE 23**

The Central Valley Flood Protection Board ("Board") has authority pursuant to the Water Code and Title 23 of the California Code of Regulations to enforce standards for the erection, maintenance, and operation of levees, channels, and other flood control works within its jurisdiction, including but not limited to standards for encroachments, construction, vegetation, and erosion control measures.

The Board's regulations related to enforcement proceedings are located in Title 23, Division 1, Chapter 1, Article 4, sections 20 through 22 of the California Code of Regulations ("CCR"), and can be found at the Board's website at [www.cvfpb.ca.gov](http://www.cvfpb.ca.gov) by clicking the "Regulations" tab. This document provides a summary of the governing procedures for enforcement proceedings undertaken by the Board pursuant to Title 23.

**Governing Procedures**

**A. Initiation and Notice; Interested Parties**

The Executive Officer may initiate an enforcement proceeding pursuant to section 20 of the Board's regulations by serving a notice by certified mail, return receipt requested, to the landowner or person (referred to as the "respondent") owning, undertaking or maintaining a work that is in violation of the division or that threatens the successful execution, functioning or operation of an adopted plan of flood control. The notice must state the acts or omissions which the Executive Officer believes to constitute the violation, as well as specify the statutes or regulations the respondent is alleged to have violated.

The notice must be accompanied by an order requiring the respondent to respond within 30 days of receipt of the notice. The notice and order must state that the Board may seek judicial enforcement should the respondent fail to respond in a timely manner and that the Board may abate violations by such actions identified in section 22 of the Board's regulations. Such actions may include, for example, physical removal of the encroachments at respondent's cost and expense.

Other interested parties may become parties to an enforcement proceeding by filing a notice to that effect with the Board. The Board shall mail a copy of that notice to the respondent within 10 days of receipt.

Notwithstanding the above notice requirements, if there is work that has not been approved by the Board, the Executive Officer or Chief Engineer may issue an order for compliance with Division 1 of Title 23 of the regulations, including an order to stop work.

## **B. Hearing Procedures**

The respondent shall have the opportunity for a hearing, which must be requested in the respondent's timely response to the notice of enforcement proceeding. Failure by the respondent to file such a response within 30 days of receipt of the notice constitutes a waiver of the respondent's right to a hearing.

A full hearing or partial hearing may be held before the entire Board or before a committee of one or more Board members at any place within the state. If the hearing is held before less than the full Board, the Board President shall designate a hearing officer to prepare a record of the evidence and a proposed decision for consideration by the full Board at a subsequent Board meeting. All hearings must be open to the public.

Written notice of the hearing shall be mailed to the respondent and each other party at least 10 days prior to the hearing. Respondents and other parties shall be mailed a copy of any staff report or recommendations on the enforcement proceedings at least 10 days prior to the hearing.

The Administrative Procedure Act's ("APA") Bill of Rights, which sets forth basic requirements of due process, is incorporated into the Board's enforcement hearing procedures (Government Code section 11425.10). The Board has not adopted the formal hearing requirements found in Chapter 5 of the APA (Government Code section 11500 et. seq.). At the hearing, the respondent will be provided the opportunity to present and rebut evidence. The presentation of evidence is subject to the reasonable control and limitation by the Board President, acting chair, or appointed hearing officer, including the length and manner of presentation of evidence. The Board President, acting chair, or appointed hearing officer may also place other controls or limitations as he or she deems appropriate to the specific proceeding. Prior hearings before the Board have typically followed the following format and order:

- Board staff presentation of evidence
- Respondent presentation of evidence
- Board staff rebuttal
- Respondent rebuttal

Cross examination is not typically allowed, but the Board can ask questions at any time during any presentation. Once the Board President, acting chair, or hearing officer closes the hearing, typically no additional evidence is permitted unless allowed by the Board President, acting chair, or hearing officer.



### **C. Requests for Documents**

The respondent and other parties may request that the Board provide a copy of any document that is relevant to the proceedings and that is not exempt from disclosure under the Public Records Act (Government Code section 6521 et. seq.). The Board may charge a reasonable fee for each copy.

### **D. Board Decision**

After the conclusion of the hearing, the Board shall issue a decision in writing based upon the record, including a statement of the factual and legal basis of the decision. Where the full Board hears the matter, the Board may either vote on the matter on the day of the hearing or, if deemed appropriate by the Board, at a subsequent meeting after the preparation of a proposed decision and order or revised written findings. If a hearing officer is appointed, the hearing officer shall prepare a proposed decision within 30 days after the conclusion of the hearing and the Board shall adopt its final decision based upon the record of evidence at the next regularly scheduled Board meeting after issuance of the proposed decision.

The Board decision shall by order specify what action must be taken by the respondent, if any, at respondent's cost, and the time within which such action must be taken. The required action may include, but is not limited to:

- 1) Removal of the work;
- 2) Alteration of the work;
- 3) Performance of additional work;
- 4) Implementation of specified mitigation for effects on the environment;
- 5) Compliance with additional reasonable conditions, including but not limited to requiring the respondent to permit inspection by the Board, its officers, staff, or authorized representatives of the Department of Water Resources during and after construction and requiring the respondent to file with the Board reports and data, including a description of all work done. The Board may request in writing at any time any reports or data, even if not expressly stated in a condition to the decision;
- 6) Filing an application for a permit;
- 7) Revocation of the permit.

The Board decision may also give notice that if the respondent does not comply with the decision within a reasonable time, the Board may take actions to abate violations or threats to the adopted plan of flood control, such as physical removal, and recover its costs from the respondent.



**E. Additional Procedures**

If the respondent believes that additional procedures or regulations apply to their particular proceeding, the respondent may request that such additional procedures be incorporated. The respondent should advise Board enforcement staff of the request in advance of the hearing and specify the basis of the request. Such requests will be considered on an individual basis.

**F. Reconsideration**

No later than 30 days after adoption by the Board of a decision or order, any interested person affected by the decision or order may petition the Board for reconsideration for any of the reasons stated and in the manner stated in section 23 of the Board's regulations.

September 23, 2010

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**RD 1000 NATOMAS / CALIFORNIA**

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**PERIODIC INSPECTION  
REPORT NO. 1**

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**JANUARY 2010**

**Prepared by:**



GENTERRA/Hultgren-Tillis/TABER, LLC

**Prepared for:**



**US Army Corps of Engineers®  
Sacramento District**

**FOR OFFICIAL USE ONLY**

**PERIODIC INSPECTION REPORT**  
**RD 1000 NATOMAS / CALIFORNIA**  
**SACRAMENTO RIVER, AMERICAN RIVER, NATOMAS EAST MAIN DRAINAGE**  
**CANAL, CROSS CANAL INFLOW SOUTH (PLEASANT GROVE CREEK CANAL),**  
**AND NATOMAS CROSS CANAL**  
**SACRAMENTO AND SUTTER COUNTIES, CALIFORNIA**  
**REPORT NO. 1**  
**January 2010**



GENTERRA/Hultgren-Tillis/TABER, LLC

**FOR OFFICIAL USE ONLY**



RD 1000 - Natomas Unacceptable-Active									
	Unit 1, Sacramento River	Unit 2, American River	Unit 3 South, NEMDC	Unit 3 North, Cross Canal inflow	Unit 4, Natomas Cross Canal				
Operations and Maintenance Manuals	M	M	M	M	M				
Emergency Supplies and Equipment	A	A	A	A	A				
Flood Preparedness and Training	A	A	A	A	A				
Unwanted Vegetation Growth	U	U	U	U	U				
Sod Cover	A	A	A	A	A				
Encroachments	U	U	U	U	U				
Closure Structures	NA	NA	NA	NA	NA				
Slope Stability	M	A	M	A	M				
Erosion/Bank Caving	U	M	M	U	U				
Settlement	M	A	A	A	A				
Depressions/Rutting	A	A	M	M	A				
Cracking	M	A	M	A	A				
Animal Control	M	A	M	M	M				
Culverts/Discharge Pipes	NA	NA	NA	NA	NA				
Riprap Revetments & Bank Protection	M	NA	M	M	A				
Revetments other than Riprap	NA	NA	NA	NA	NA				
Underseepage Relief Wells/Toe Drainage Systems	NA	NA	NA	NA	NA				
Seepage	A	A	A	A	A				
<div> <div> Segment &amp; System Ratings/PL 84-99 Eligibility Likely Prevents Performance In Next Flood Event Serious deficiency noted in past inspections has not been corrected within the established timeframe Likely Prevents Performance In Next Flood Event (Framework) Not Likely to Prevent Performance In Next Flood Event Not Likely to Prevent Performance In Next Flood Event (Framework) </div> <div> The lowest rating is used to determine the overall segment &amp; system ratings and PL 84-99 Rehabilitation Eligibility </div> </div>									
						<b>Legend</b> A Acceptable M Minimally Acceptable U Unacceptable N/A Not Applicable			

July 6, 2010

## PART I. EXECUTIVE SUMMARY

Levee System "Reclamation District 1000 - Natomas" is located within Sacramento and Sutter Counties, and partly within the City of Sacramento, California. This report presents results of the first United States Army Corps of Engineers (USACE) Periodic Inspection for the Natomas Levee System. The system consists of four Units, made up of five segments (Unit 1, Unit 2, Unit 3 South, Unit 3 North, and Unit 4). Unit 1 (NAT1) is located on the east (left) bank of the Sacramento River, beginning at the Natomas Cross Canal and extending south to the confluence of the American and Sacramento Rivers (Levee Mile [LM] 0.00 to 18.49). Unit 2 (NAT2) is located on the north (right) bank of the American River (LM 0.00 to 1.90). Unit 3 consists of two segments, Unit 3 South (NATC) and Unit 3 North (NAT3). Unit 3 South is located on the west (right) bank of Natomas East Main Drainage Canal between River Miles 1.90 and 14.52 (LM 0.00 to 12.62). Unit 3 North, referred to as the Cross Canal Inflow South, is on the west (left) bank of Pleasant Grove Creek Canal (LM 0.00 to 4.35). Unit 4 (NAT4) is located on the south (left) bank of the Natomas Cross Canal (LM 0.00 to 4.34).

The Natomas Levee System is federally authorized, but it is a non-federally operated and maintained urban flood control project. The Public Sponsor is the Central Valley Flood Protection Board (CVFPB). Reclamation District 1000 (RD 1000) has the responsibility for maintaining and operating the system. RD 1000 has an active maintenance program, and the staff is trained in flood fighting.

All five segments (NAT1, NAT2, NATC, NAT3, and NAT4) of the RD 1000 - Natomas System are a part of the Sacramento River Flood Control Project, which was authorized by the Flood Control Act of 1917, as modified by the Acts of 1928, 1937, 1941 and 1950.

Natomas Consolidated of California, a private mining and dredging company, began construction of the Natomas area levees with the purpose of reclaiming and selling thousands of acres of new farmland. The work involved constructing an approximately 40-mile-long perimeter levee system using five large dredging machines and a large suction dredge. Work on the Natomas levees began in 1912 and was completed by the end of 1915.

New embankment has recently been constructed along the Natomas Cross Canal levee (NAT4), and is currently being constructed along the landside of the existing levee in the northern portion of Unit 1. The Natomas System no longer has any closure structure associated with it, but there are eight stormwater pump stations. The City of Sacramento Department of Utilities is responsible for operating and maintaining three of the pump stations, whereas RD 1000 operates and maintains the other five. In addition to the stormwater pump stations in the Natomas System, there are pump stations used for water supply and irrigation purposes. The Natomas Central Mutual Water Company (NCMWC) is responsible for maintaining and operating the water supply and irrigation pump stations.

This Periodic Inspection assesses the general condition of the levee system based on available data and visual inspection. This report endeavors to identify areas of concern, including data



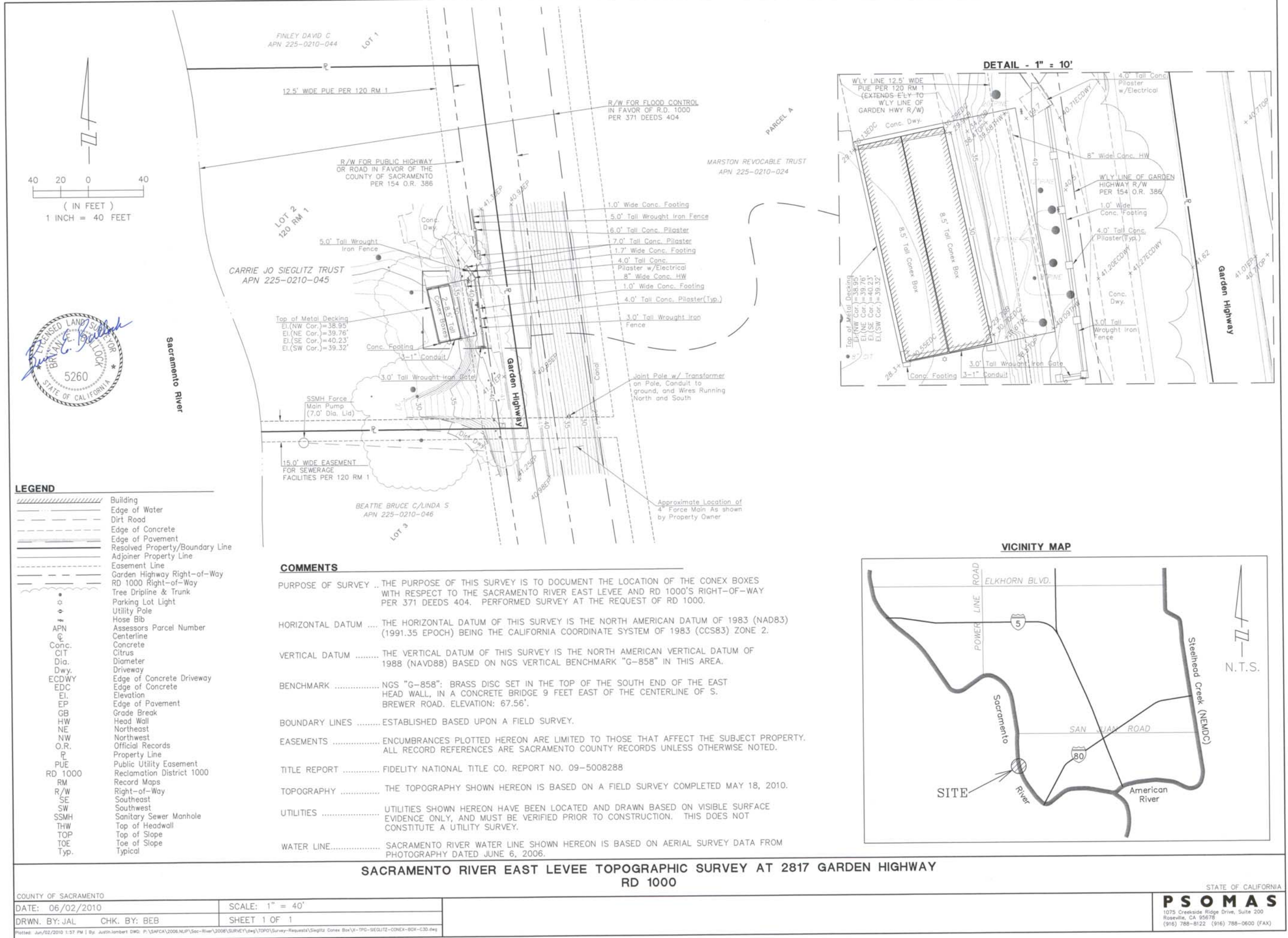
gaps, design criteria, operations and maintenance, rated items, and safety issues. Detailed investigation, computational evaluation, and rating of the levee segments and overall levee system are beyond the scope of this inspection. The USACE Levee Safety Officer determines ratings based on data in this report, as well as on the information presented during the Out-Brief.

Individual ratings for items within levee segments of the Natomas System are presented in the Completed Periodic Inspection Checklists (Appendix C), along with descriptions and other details based on field observations made during the inspection. Common “less than acceptable” features, assigned within some or all of the levee segments, fell into the following categories: Unwanted Vegetation, Sod Cover, Encroachments, Slope Stability, Erosion/Bank Caving, Depressions/ Rutting, Cracking, Animal Control, Culverts/Discharge Pipes, and Riprap Revetments & Bank Protection.

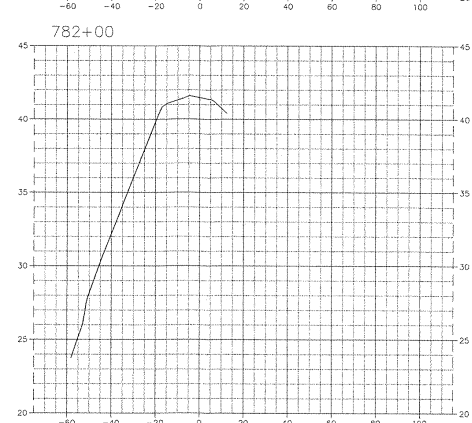
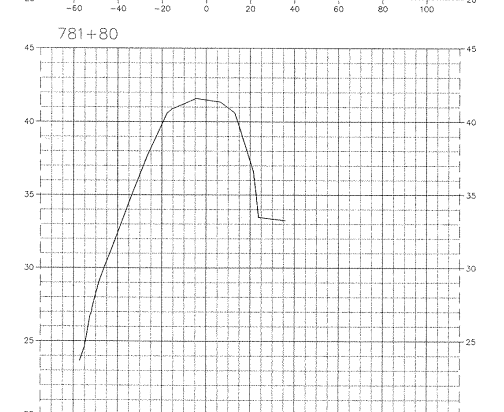
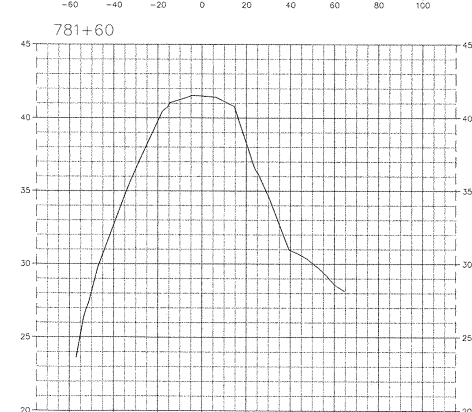
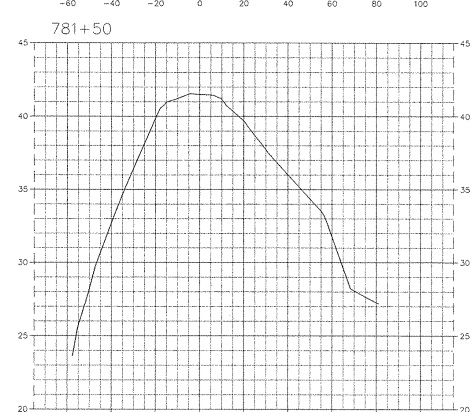
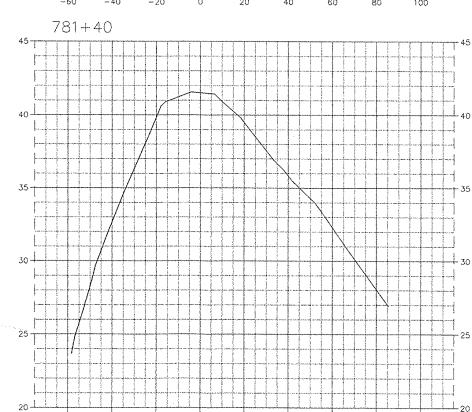
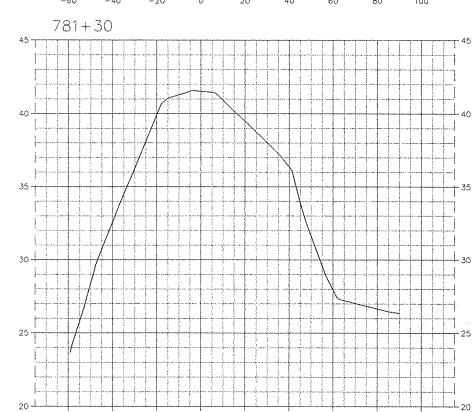
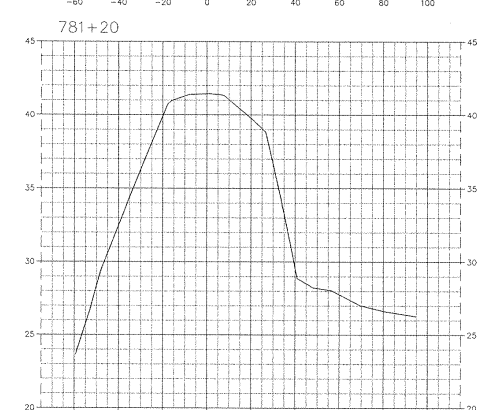
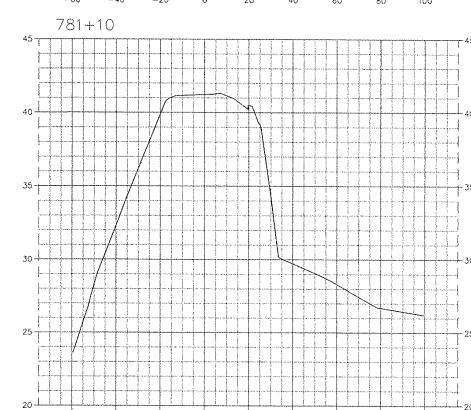
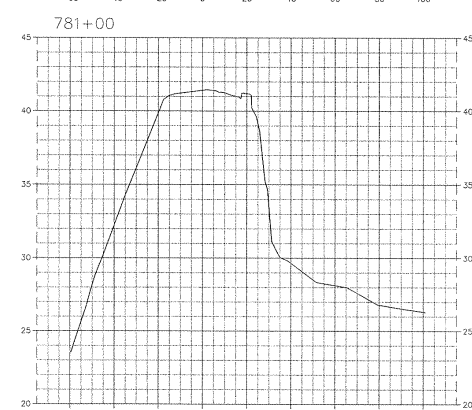
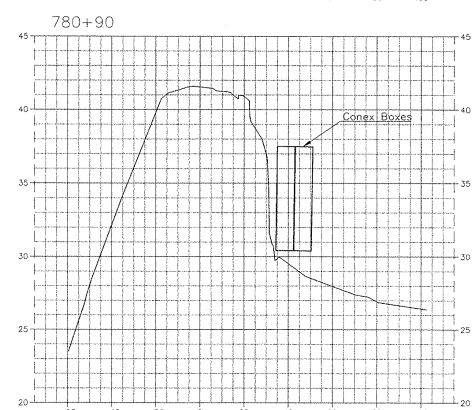
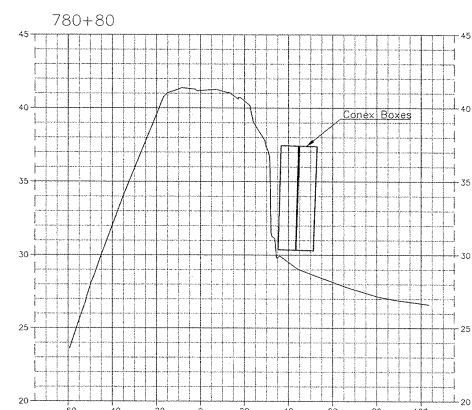
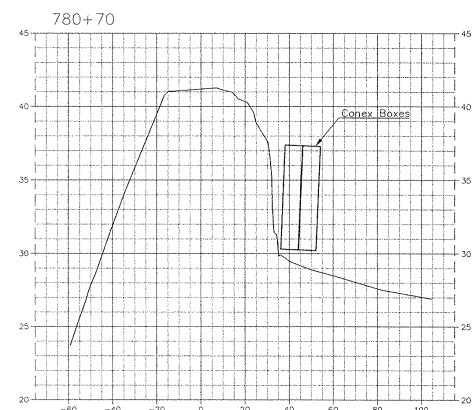
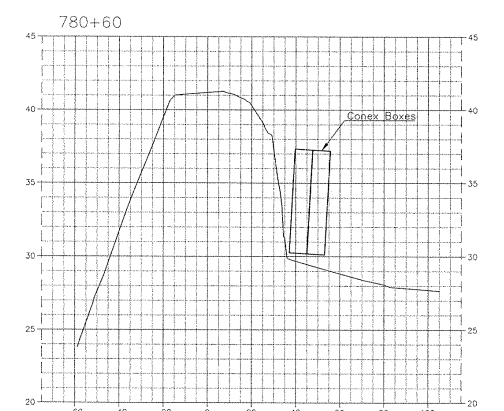
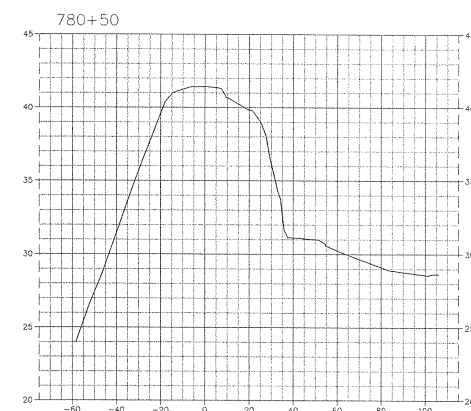
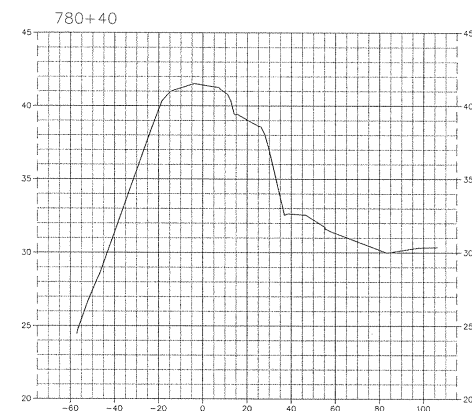
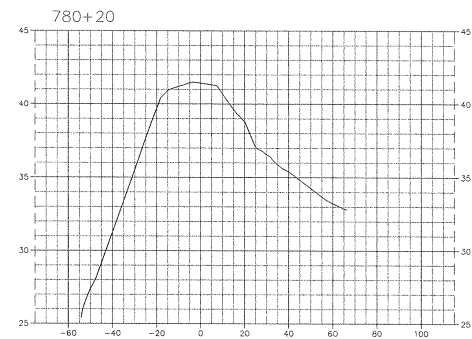
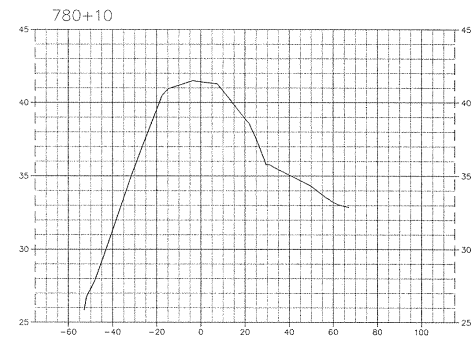
Observed concerns in the “Unwanted Vegetation” category included the presence of intermittent heavy brush and large-diameter trees along the levee embankment slopes, and within the vegetation-free zone along the toes of the levee. In the “Culverts/Discharge Pipes” category, the concern involved the lack of verification of the condition of the pipes, since there are no records of direct visual inspections or of television camera video recordings within the last five years.

A draft vegetation variance request was prepared and submitted by Sacramento Area Flood Control Agency (SAFCA) and Central Valley Flood Protection Board (CVFPB), dated March 12, 2010. This is a request for a variance from the standard vegetation guidelines set forth in the USACE’s Engineering Technical Letter 1110-2-571. SAFCA and CVFPB propose that existing vegetation be allowed to remain on all or portions of the waterside slopes of most of the levees protecting the Natomas Basin. This request is supported by an engineering analysis demonstrating that the public safety risks posed to the levee integrity have been adequately addressed by the design of the Common Features Project.

This is the first United States Army Corps of Engineers (USACE) Periodic Inspection for this levee system. It was conducted during January 2010.







PURPOSE OF SURVEY ..... THE PURPOSE OF THIS SURVEY IS TO  
"PROVIDE MAPPING AND CROSS SECTION  
DATA OF THE SACRAMENTO RIVER EAST  
EVEE IN THE VICINITY OF THE CONEX  
BOXES SHOWN AT THE REQUEST OF RD  
1000.

HORIZONTAL DATUM ..... THE HORIZONTAL DATUM OF THIS SURVEY  
IS THE NORTH AMERICAN DATUM OF 1983  
(NAD83) (1991.35 EPOCH) BEING THE  
CALIFORNIA COORDINATE SYSTEM OF 1983  
(CCS83) ZONE 2.

VERTICAL DATUM ..... THE VERTICAL DATUM OF THIS SURVEY IS  
THE NORTH AMERICAN DATUM OF  
1988 (NAVD88) BASED ON THE VERTICAL  
BENCHMARK "G-858" IN THIS AREA.

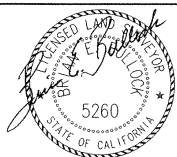
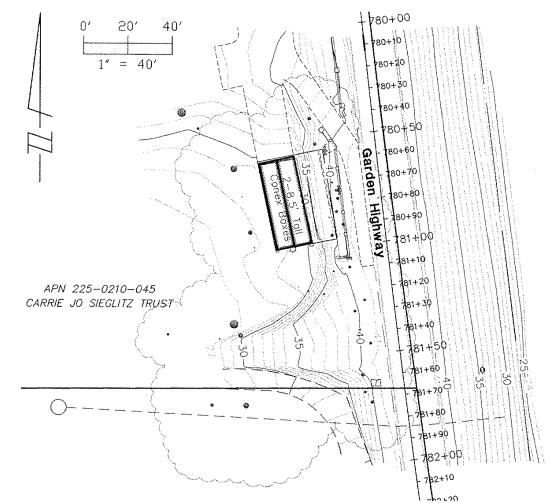
BOUNDARY LINES ..... ESTABLISHED BASED UPON A FIELD SURVEY.

TOPOGRAPHY ..... THE TOPOGRAPHY SHOWN HEREON IS BASED  
ON A FIELD SURVEY COMPLETED MAY 18, 2010.

UTILITIES ..... UTILITIES SHOWN HEREON HAVE BEEN  
LOCATED AND DRAWN BASED ON VISIBLE  
SURFACE EVIDENCE ONLY, AND MUST BE  
VERIFIED PRIOR TO CONSTRUCTION. THIS  
DOES NOT CONSTITUTE A UTILITY SURVEY.

CONTOUR INTERVAL ..... ONE FOOT.

ALIGNMENTS ..... ALIGNMENT SHOWN FOR SACRAMENTO EAST  
EVEE IS THE NUP PROJECT BASELINE.



DRAFTED

CHECKED

JAL

DJF

REV	DATE
-----	------

REV	DATE
-----	------

## DESCRIPTION

BY

APP'D

BENCHMARK	NGS "G-858"
-----------	-------------

BRASS DISC SET IN THE TOP OF THE  
SOUTH END OF THE EAST HEAD WALL,  
IN A CONCRETE BRIDGE 9 FEET EAST OF  
THE CENTERLINE OF S. BREWER ROAD.

ELEV. 67.56' ADJUSTMENT NAVD88

**P S O M A S**

1075 Creekside Ridge Drive, Suite 200  
Roseville, CA 95678  
(916) 788-8122 (916) 788-0600 (FAX)

TOPOGRAPHIC SURVEY FOR:

RD 1000  
2817 GARDEN HIGHWAY

SACRAMENTO COUNTY

DATE: \_\_\_\_\_

SCALE: \_\_\_\_\_

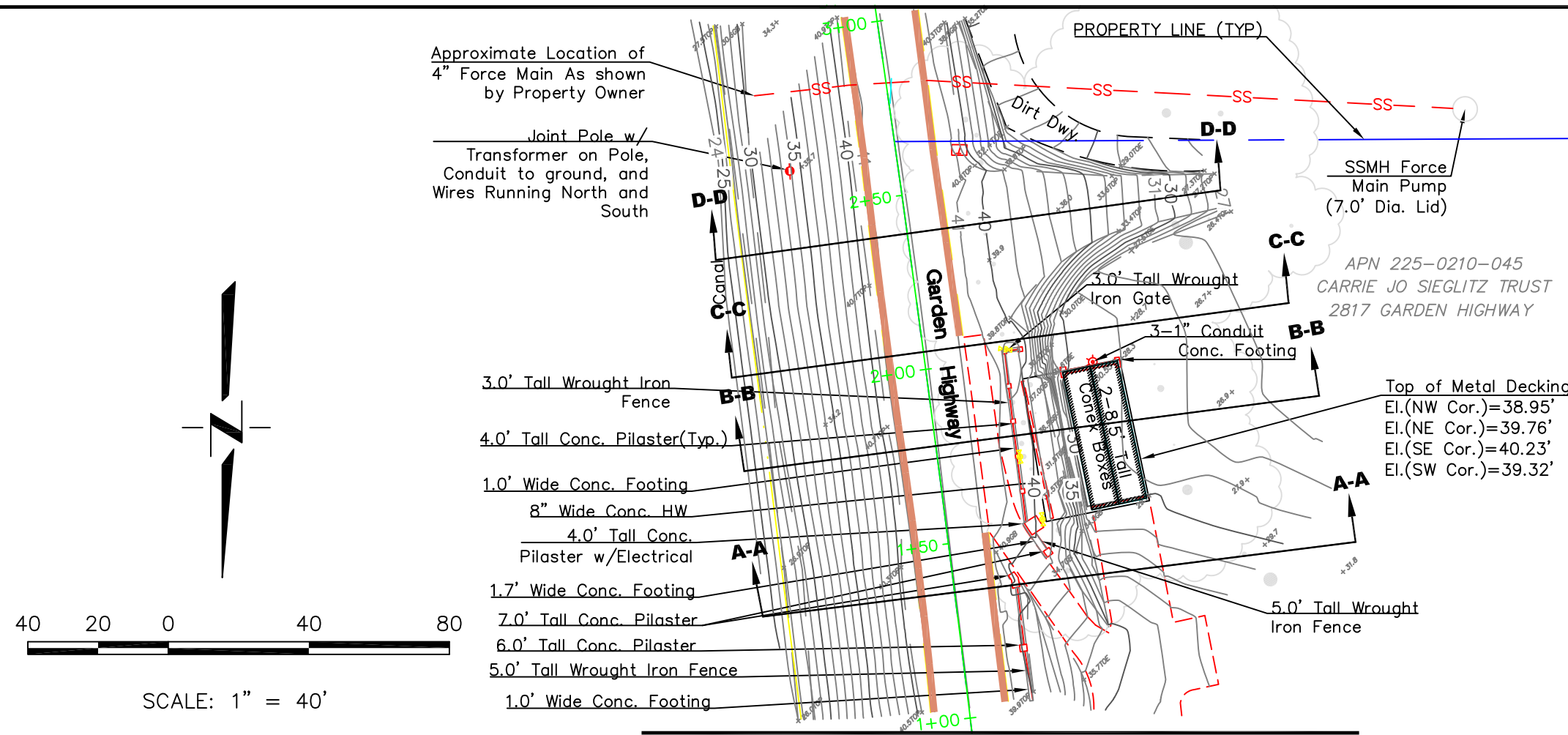
PROJECT  
NUMBER 6SAF0212.02 2046  
CMAN1

SHEET

1

1

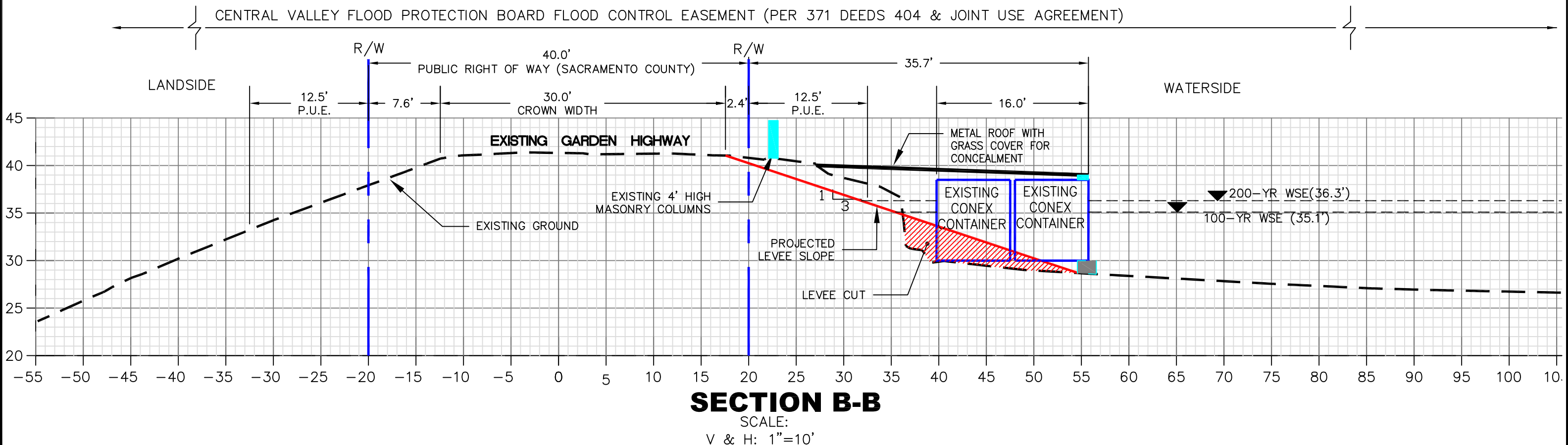
CALIFORNIA



- NOTES:**
1. SURVEY WAS PREPARED BY PSOMAS IN JUNE 2010. CROSS SECTION GENERATED BY PSOMAS ON OCTOBER 2010. CROSS SECTION LABELING PREPARED BY BOARD STAFF.
  2. LEVEE SECTION OBTAINED FROM USACE AS-BUILTS FOR THE SACRAMENTO RIVER FLOOD CONTROL PROJECT DATED MARCH 1952.
  3. WATER SURFACE ELEVATIONS PROVIDED BY MBK ENGINEERS ON OCTOBER 4, 2010.
  4. VERTICAL DATUM: NAVD 88
  5. FLOOD CONTROL EASEMENT GRANTED TO RD 1000 PER 371 DEEDS 404
  6. JOINT USE AGREEMENT BETWEEN RD1000 AND THE CENTRAL VALLEY FLOOD PROTECTION BOARD AND RD 1000 RECORDED ON BOOK 20090731 PAGE 1752.

- LEGEND:**
- P.U.E. PUBLIC UTILITY EASEMENT
  - R/W RIGHT OF WAY
  - SSMH SANITARY SEWER MANHOLE
  - WSE WATER SURFACE ELEVATION

**CENTRAL VALLEY FLOOD PROTECTION BOARD**  
ENFORCEMENT ORDER NO. 2010-49  
RESPONDENT: MR. ROBERT & MRS. CARRIE SIEGLITZ  
  
DRAFT - OCTOBER 2010  
PREPARED BY: A. CALISO







CENTRAL VALLEY FLOOD PROTECTION BOARD FLOOD CONTROL EASEMENT (PER 371 DEEDS 404 & JOINT USE AGREEMENT)



## SECTION D-D

404

affixed by its officers, thereunto duly authorized, the day and year first above written.

NATOMAS CONSOLIDATED OF CALIFORNIA.

(CORP. SEAL)

By S. L. G. Knox, Vice President.

By P. C. Knapp, Secretary.

State of California

City and County of San Francisco.)

ss.

On this 29th day of January, A. D. 1913, before me

Charles Edelman, a Notary Public in and for the

City and County of San Francisco, State of California, personally appeared S. L. G. Knox, known to me to be the Vice President and P. C. Knapp known to me to be the Secretary of the corporation that executed the within instrument, and acknowledged to me that such corporation executed the same. In Witness Whereof, I have hereunto set my hand and affixed my official Seal, the day and year in this certificate first above written.

Charles Edelman

(SEAL)

Notary Public in and for the

City and County of San Francisco

State of California.

My Commission expires April 9th, 1914.

C. F. Metteer,

Recorded at request of April 12th, 1913 at 11 hrs. 19 mins. A. M.

Valentine S. McClatchy et al

to

RECLAMATION DISTRICT NO. 1000.)

This Indenture made this 5th day of April, A. D. 1913,

between Valentine S. McClatchy, and Adaline H. McClatchy

his wife, and Charles K. McClatchy, and Ella K. McClatchy

hiswife, of the County of Sacramento, State of California,

the parties of the first part, and RECLAMATION DISTRICT NO.1000, a corporation incorporated organized and existing under and by virtue of the laws of the State of California; the party of the second part, Witnesseth: That the parties of the first part, for and in consideration of the sum of five hundred and eighty five and 75/100 Dollars(\$585.75) to them in handpaid by the party of the second part, the receipt of which is hereby acknowledged, do by these presents, grant unto the party of the second part, and to its successors, and assigns, as and for a right of way, for levee purposes only, that certain lot, piece or parcel of land situate, lying and being in the County of Sacramento, State of California, particularly described as follows, to wit: Commencing at a point seven hundred and thirty three and five tenths(733.5) feet south and four thousand five hundred and eighteen and six tenths(4,518.6) feet west of the northeast corner of Swamp Land Survey No. 206, running thence in a southerly direction, following a curve to the left of eight thousand five hundred and forty four and four tenths(8,544.4) radius, a distance of one thousand five hundred and thirty five(1,535) feet; thence, following a curve to the left of five thousand six hundred and seventy nine and seven tenths(5,679.7) feet radius, a distance of four hundred and seventy three (473) feet, thence west one hundred and eighty six and eight tenths(186.8) feet to the left bank of the Sacramento River, thence following the left bank of the Sacramento River, up stream running north 14° 10' west, one thousand two hundred and fifty(1,250) feet, thence north 09° 24' west eight hundred and fifty three and one tenth(853.1) feet, and thence east two hundred and forty two and one tenth(242.1) feet to the said point of commencement, being a part of the said Swamp Land Survey No.206, and containing nine and three hundredths(9.03) acres, more or less. The above described tract of land is hereby conveyed to the party of the second part, its successors and assigns, as and for a right of way and



easement for the purpose of building, constructing, enlarging and maintaining thereon, a levee or embankment for reclamation purposes only, in accordance with plans that have been or may hereafter be adopted by the party of the second part, and the party of the second part its successors, and assigns, shall have the right to enter at any time, upon the said lands with men, teams, wagons, scrapers, dredgers and other machinery for the purpose of taking therefrom, and to take therefrom earth, gravel brush, trees and other material for the construction, enlargement, repair, and maintenance, of the levees or embankments that may be constructed thereon by the party of the second part, its successors, and assigns. <sup>however,</sup> Provided, that the parties of the first part reserve unto themselves, their heirs and assigns the right to cross the said lands and any levee constructed thereon by the party of the second part, with men, teams, and stock. As a further consideration for the right of way and easement hereby granted, it is understood and agreed that the party of the second part shall at the time of its construction of its levees, on the said lands, construct, a roadway of easy grade, leading to the top of the said levee, at a point to be designated by the parties of the first part. To Have and To Hold, the said right of way, and easement unto the party of the second part, its successors and assigns forever, ~~XXXXXX~~, for the purposes herein mentioned. In Witness Whereof, the parties of the first part have hereunto set their hands and seals the day and year first above written.

Valentine S. McClatchy (SEAL)

Adaline H. McClatchy (SEAL)

Charles K. McClatchy (SEAL)

Ella K. McClatchy (SEAL)

State of California }  
County of Sacramento. ) ss

On this 7th day of April, A. D. 1913, before me, H. M. LaRue, Jr.  
a Notary Public in and for the County of Sacramento, State of California, personally appeared Valentine S. McClatchy, and Adaline H. McClatchy, his wife, and Charles K. McClatchy and Ella K. McClatchy, his wife, known to me to be the persons whose names are subscribed to me the within instrument, and severally acknowledged to me that they executed the same. In Witness Whereof, I have hereunto set my hand and affixed my official seal, the day and year in this certificate, first above written.

H. M. LaRue, Jr.

Notary Public in and for the County  
of Sacramento, State of California..

(SEAL)

Recorded at request of C.F. Metteer, April 12th, 1913 at 11 hrs. 20 mins. A. M.

Ruth Evers et al }  
to }  
Pacific Gas and Electric CO. }

This Indenture made this 8th day of April, 1913, by and between Ruth Evers, and E. L. Evers, her husband, both of the County of Sacramento, State of California, the parties of the first part, and the PACIFIC GAS AND ELECTRIC COMPANY, a corporation, duly organized and existing under and by virtue of the laws of the State of California, the party of the second part, Witnesseth: That the said parties of the first part, in consideration of the sum of Ten Dollars (\$10.00) in gold coin of the United States of America, to them in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, do by these presents, grant, bargain, and sell, unto the said party of the second part, and to its successors, and assigns forever, all that certain real property, situate, lying and being in the City of Sacramento County of Sacramento, State of California, and more particularly described as follows, to wit



When recorded,  
return this document to:

NAME Department of Water Resources  
Division of Engineering

MAILING ADDRESS Real Estate Branch, Room 425  
P.O. Box 942836

CITY, STATE, ZIP CODE Sacramento, CA 94236-0001

Sacramento County Recorder  
Craig A. Kramer, Clerk/Recorder  
BOOK **20090731** PAGE **1752**  
Friday, JUL 31, 2009 3:48:19 PM  
Ttl Pd \$0.00 Nbr-0005992725  
SJS/57/1-10

### JOINT USE AGREEMENT

Sacramento, California

Project: Sacramento River Bank Protection

June 26, 2009

PARCEL CA 05049

This Agreement, entered into on the date above written, by and between Reclamation District Number 1000 of the State of California, a public entity formed as a special district by special act of the California Legislature, hereinafter called DISTRICT, and the SACRAMENTO AND SAN JOAQUIN DRAINAGE DISTRICT, acting by and through The Central Valley Flood Protection Board of the State of California, hereinafter called BOARD;

### WITNESSETH THAT:

WHEREAS, DISTRICT owns and is in possession of real property, rights of way, and easements for reclamation and levee purposes, described in Exhibit "A" attached hereto and made a part hereof; and,

WHEREAS, DISTRICT desires to grant to BOARD the right to jointly use the said property rights; and, to the extent permitted under the instruments granting the real property, rights of way and easements to District,

- a) Construct, reconstruct, enlarge, fence, plant with trees, shrubs, and other vegetation, preserve and retain all vegetative growth desirable for project purposes, repair and use flood control works, which shall include, but not be limited to, access, haul, and patrol roads, levees, ditches, embankments, channels, berms, fences, and appurtenant structures, and operate and maintain said flood control works in conformity with the Code of Federal Regulations, Corps of Engineers' Standard Operation and Maintenance Manual, and State of California Standards.

JUN 17 2009



- b) Clear and remove from said flood control works any and all natural or artificial obstructions, improvements, trees, and vegetation necessary for construction, operation, maintenance, repair, reconstruction, and emergency flood fight.
- c) Flow waters and material and by said flow erode.
- d) Place or deposit earth, debris, sediment, or other material.
- e) Excavate and remove earth, debris, sediment, or other material, including that placed or deposited as above.
- f) Locate or relocate roads and public utility facilities by grantee or others.
- g) Restrict the rights of the Grantor, his successors and assigns, without limitations, to explore, extract, remove, drill, mine, or operate through the surface or upper 100 feet of the subsurface in exercise of the Grantor's interest in any minerals, including oil and gas.
- h) Restrict any use by others which may interfere with any of the uses listed herein or any use necessary or incidental thereto.

WHEREAS, BOARD desires to accept the grant of the right to jointly use the said property rights;

NOW, THEREFORE, in consideration of the mutual covenants hereinafter set forth, DISTRICT and BOARD do hereby mutually agree as follows:

1. DISTRICT hereby perpetually agrees to the construction, reconstruction, maintenance or use by BOARD and the United States Army Corps of Engineers and their contractors of the flood control project works ("Project Works") upon or across the DISTRICT's property, excluding pumping plants and interior canals and drainage ditches.
2. In the event that the future use of DISTRICT's works shall at any time or times necessitate rearrangement, relocation, or reconstruction of any of the Project Works then existing in the area of joint use, DISTRICT shall notify BOARD of such necessity in accordance with Water Code Sections 8710 through 8723, and DISTRICT agrees to pay the cost of such rearrangement, relocation, or reconstruction of the Project Works following BOARD's approval of all plans and specifications for the said improvement, relocation, or reconstruction, which approval shall not be unreasonably withheld.

JUN 17 2009

3. BOARD shall pay the cost of any construction, reconstruction, modification, alteration, or relocation of DISTRICT's works in the area of joint use when such construction, rearrangement, modification, alteration, or relocation is requested by BOARD or its authorized agent, and BOARD shall submit to DISTRICT for approval all plans and specifications of any proposed construction, modification, or alteration by BOARD of DISTRICT's works within the area of joint use, which approval shall not be unreasonably withheld.
4. DISTRICT shall pay the cost of repair and maintenance of the Project Works in the area of joint use at its full expense, excepting damage resulting from BOARD's acts.
5. When work is to be performed within the area of joint use where facilities are located, the BOARD shall comply with the following provision:
  - a. Except in emergencies, BOARD shall give reasonable notice to DISTRICT, and to the underlying fee owner if other than DISTRICT, before performance of any construction or construction related activities, such as topographic surveys, geotechnical investigations or environmental surveys, in the area of joint use.
  - b. In all cases, BOARD shall make adequate provisions for the protection of the public in the area of joint use and provide such safety devices as are generally required on construction projects.
  - c. All work shall be planned and carried out so there will be minimum inconvenience to the public in the area of joint use.
  - d. All work shall be planned and carried out so that there is no unreasonable interference with the DISTRICT's use of its facilities.
6. DISTRICT and BOARD shall use said area of joint use in such a manner as not to unreasonably interfere with the rights and responsibilities of the other.
7. BOARD may, with DISTRICT's permission in writing, assign the rights granted herein; said assignments shall not, however, relieve the BOARD of duties

JUN 17 2009



EXHIBIT "A"PARCEL CA 05049

All that real property lying within the DISTRICT's boundary as shown on Exhibit "B", attached hereto and made a part hereof, and situated in the County of Sacramento, State of California, conveyed to the DISTRICT and to its successors and assigns, described as follows:

UNIT 100: A right of way for reclamation purposes conveyed by Regina Welhausen, et al, by deed dated September 17, 1912, and recorded September 24, 1912, in Deed Book 362, at Page 295, Official Records of said County, containing 18.59 acres, more or less.

UNIT 101: A right of way for reclamation purposes conveyed by Regina Welhausen, Et Al, by deed dated December 10, 1912, and recorded December 30, 1912, in Deed Book 367, at Page 461, Official Records of said County, containing 0.32 acre, more or less.

UNIT 102: A right of way for reclamation purposes conveyed by San Juan Investment Co. by deed dated September 23, 1912, and recorded November 1, 1912, in Deed Book 367, at Page 54, Official Records of said County, containing 11.97 acres, more or less.

UNIT 103: A right of way for reclamation purposes conveyed by San Juan Investment Co. by deed dated March 7, 1927, and recorded March 9, 1927, in Book 116, at Page 353, Official Records of said County, containing 12.51 acres, more or less.

UNIT 104: A right of way for reclamation purposes conveyed by Fredrick W. Kiesel, by deed dated September 23, 1912, and recorded November 1, 1912, in Deed Book 367, at Page 57, Official Records of said County, containing 8.36 acres, more or less.

UNIT 105: A right of way for reclamation purposes conveyed by Fredrick W. Kiesel, by deed dated September 23, 1912, and recorded November 20, 1912, in Deed Book 367, at Page 188, Official Records of said County, containing 7.18 acres, more or less.

UNIT 106: A right of way for reclamation purposes conveyed by Clarke & Cox Farms Co., by deed dated September 23, 1912, and recorded December 20, 1912, in Deed Book 367, at Page 411, Official Records of said County, containing 19.8 acres, more or less.

UNIT 107: A right of way for levee purposes conveyed by Valentine S. McClatchy, et al, by deed dated April 5, 1913, and recorded April 12, 1913, in Deed Book 371, at Page 404, Official Records of said County, containing 9.03 acres, more or less.

UNIT 108: A right of way for levee purposes over an upon all those certain lots, pieces or parcels of land described and numbered (8) through (17), conveyed by Natomas Consolidated of California by deed dated January 29, 1913, and recorded April 12, 1913, in Deed Book 371, at Page 395, Official Records of said County, containing a total of 366.45 acres, more or less.

UNIT 109: A right of way for levee purposes over and upon all those certain lots, pieces or parcels of land described and numbered (1) through (12), conveyed by Natomas Company of California by deed dated July 25, 1917, and recorded September 6, 1917, in Deed Book 473, at Page 74, Official Records of said County, containing a total of 390.12 acres, more or less.

UNIT 110: All that real property conveyed by Natomas Company by deed dated August 1, 1938, and recorded September 13, 1938, in Book 699, at Page 268, Official Records of said County, containing of 9.07 acres, more or less.

UNIT 111: All that real property and right of way for private road purposes conveyed by Elmer F. Christophel and Winifred L. Christophel, his wife, by deed dated May 9, 1958, and recorded May 29, 1958, in Book 3518, at Page 248, Official Records of said County, containing of 2.2 acres, more or less.

UNIT 112: All that real property conveyed by Elmer F. Christophel and Winifred L. Christophel, his wife, by deed dated May 30, 1969, and recorded June 3, 1969, in Book 69-07-03, at Page 263, Official Records of said County, containing of 0.3072 acres, more or less.

UNIT 113: A levee maintenance and open space easement conveyed by California Farm Bureau Federation, a California Non-Profit Corporation, by deed dated November 20, 1996, and recorded December 11, 1996, in Document 199612111004, Official Records of said County.

TOGETHERWITH all of that real property lying within the DISTRICT's boundary as shown on the hereinafter Exhibit "B", situated in the County of Sutter, State of California, conveyed to the DISTRICT and to its successors and assigns, described as follows:

UNIT 200: A right of way for reclamation purposes conveyed by Charles F. Roth by deed dated July 11, 1912, and recorded July 12, 1912, in Book 49 of Deeds, at Page 156, Official Records of said County, containing 10.45 acres, more or less.

UNIT 201: A right of way for reclamation purposes conveyed by Final Order or Judgment of Condemnation in the Superior Court of the State of California, Case No. 1346, against defendant Margaret Lyall, et al, dated August 1, 1912, and recorded August 1, 1912, in Book 49 of Deeds, at Page 239, Official Records of said County, containing 5.69 acres, more or less.

UNIT 202: A right of way for reclamation purposes conveyed by D. W. Hobson, et al, by deed dated August 8, 1912, and recorded November 2, 1912, in Book 49 of Deeds, at Page 442, Official Records of said County, containing 3.67 acres, more or less.

UNIT 203: A right of way for reclamation purposes conveyed by F. H. Bennett, et ux, by deed dated January 31, 1913, and recorded February 4, 1913, in Book 50 of Deeds, at Page 46, Official Records of said County, containing 5.04 acres, more or less.



UNIT 204: A right of way for levee purposes over an upon all those certain lots, pieces or parcels of land described and numbered (2) through (7) by Natomas Consolidated of California by deed dated January 29, 1913, and recorded May 19, 1913, in Book 50 of Deeds, at Page 387, Official Records of said County, containing 147.70 acres, more or less.

UNIT 205: A right of way for levee purposes over an upon all those certain lots, pieces or parcels of land described and numbered (1) through (8), conveyed by Natomas Company of California by deed dated July 25, 1917, and recorded September 6, 1917, in Book 59, of Deeds, at Page 227, Official Records of said County, containing a total of 189.39 acres, more or less.

*Robert E. Chesner*



imposed upon it by this agreement. DISTRICT will not unreasonably withhold permission.

8. DISTRICT may, with BOARD permission in writing, assign the rights and responsibilities granted herein to a local district responsible for the maintenance of Project Works. Said assignment shall not, however, relieve the DISTRICT of duties imposed upon it by this Agreement. BOARD will not unreasonably withhold its consent.

IN WITNESS WHEREOF, the parties hereto have caused these present to be executed in duplicate by their respective officers, thereunto duly authorized.

Reclamation District No. 1000  
of the State of California

SACRAMENTO AND SAN JOAQUIN  
DRAINAGE DISTRICT, acting by and  
through The Central Valley Flood  
Protection Board of the State of California

By: Paul Devereux  
Paul Devereux, General Manager

Date: 06/26/2009

By: Faye C. Purica  
Date: 7/6/09

Approved as to Legal Form and Sufficiency  
for Reclamation District No. 1000

James M. Day, Jr.  
James M. Day, Jr., General Counsel

Date: \_\_\_\_\_

Approved as to Legal Form and Sufficiency  
for The Central Valley Flood Protection  
Board

Nancy Finch  
Nancy Finch, Staff Counsel III

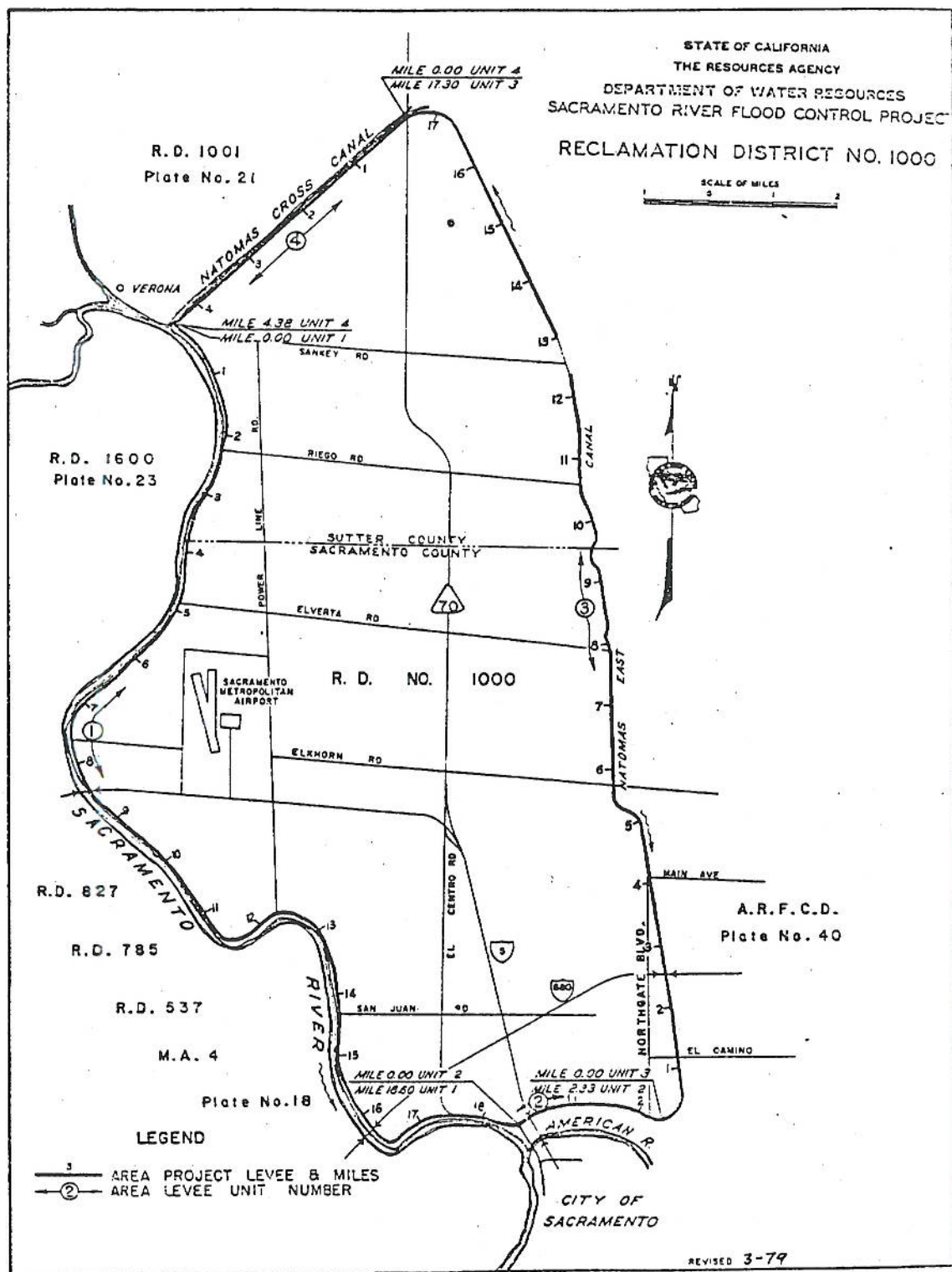
Date: July 1, 2009

JUN 17 2009

4/17/2009



## Exhibit "B"



JUN 17 2009

**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California

County of Sacramento

On June 26, 2009 before me, Terrie A. Figueroa, Notary  
Date Here Insert Name and Title of the Officer  
 personally appeared Paul Devereux  
Name(s) of Signer(s)



who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature Terrie A. Figueroa  
Signature of Notary Public

Place Notary Seal Above

**OPTIONAL**

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

**Description of Attached Document**Title or Type of Document: Joint Use AgreementDocument Date: June 26, 2009 Number of Pages: 8

Signer(s) Other Than Named Above: \_\_\_\_\_

**Capacity(ies) Claimed by Signer(s)**Signer's Name: Paul Devereux

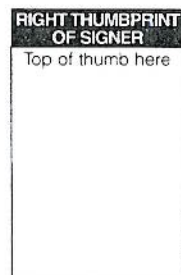
- ☐ Individual  
☒ Corporate Officer — Title(s): General Manager  
☐ Partner — ☐ Limited ☐ General  
☐ Attorney in Fact  
☐ Trustee  
☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_



Signer Is Representing: Reclamation District No. 1000

Signer's Name: \_\_\_\_\_

- ☐ Individual  
☐ Corporate Officer — Title(s): \_\_\_\_\_  
☐ Partner — ☐ Limited ☐ General  
☐ Attorney in Fact  
☐ Trustee  
☐ Guardian or Conservator  
☐ Other: \_\_\_\_\_



Signer Is Representing: \_\_\_\_\_



**CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT**

State of California

County of

Sacramento

On

July 6, 2009

Date

before me,

Delia Grijalva, Notary Public

Here Insert Name and Title of the Officer

personally appeared

Jay (Jatinder) S. Parnia

Name(s) of Signer(s)



who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Place Notary Seal Above

Signature

Signature of Notary Public

**OPTIONAL**

*Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.*

**Description of Attached Document**

Title or Type of Document:

Joint Use Agreement

Document Date:

June 26, 2009

Number of Pages:

8

Signer(s) Other Than Named Above:

**Capacity(ies) Claimed by Signer(s)**

Signer's Name:

Jay S. Parnia☐ Individual☐ Corporate Officer — Title(s):☐ Partner — ☐ Limited ☐ General☐ Attorney in Fact☐ Trustee☐ Guardian or Conservator☒ Other: General Manager

Signer Is Representing:

CVFAS**RIGHT THUMBPRINT OF SIGNER**

Top of thumb here

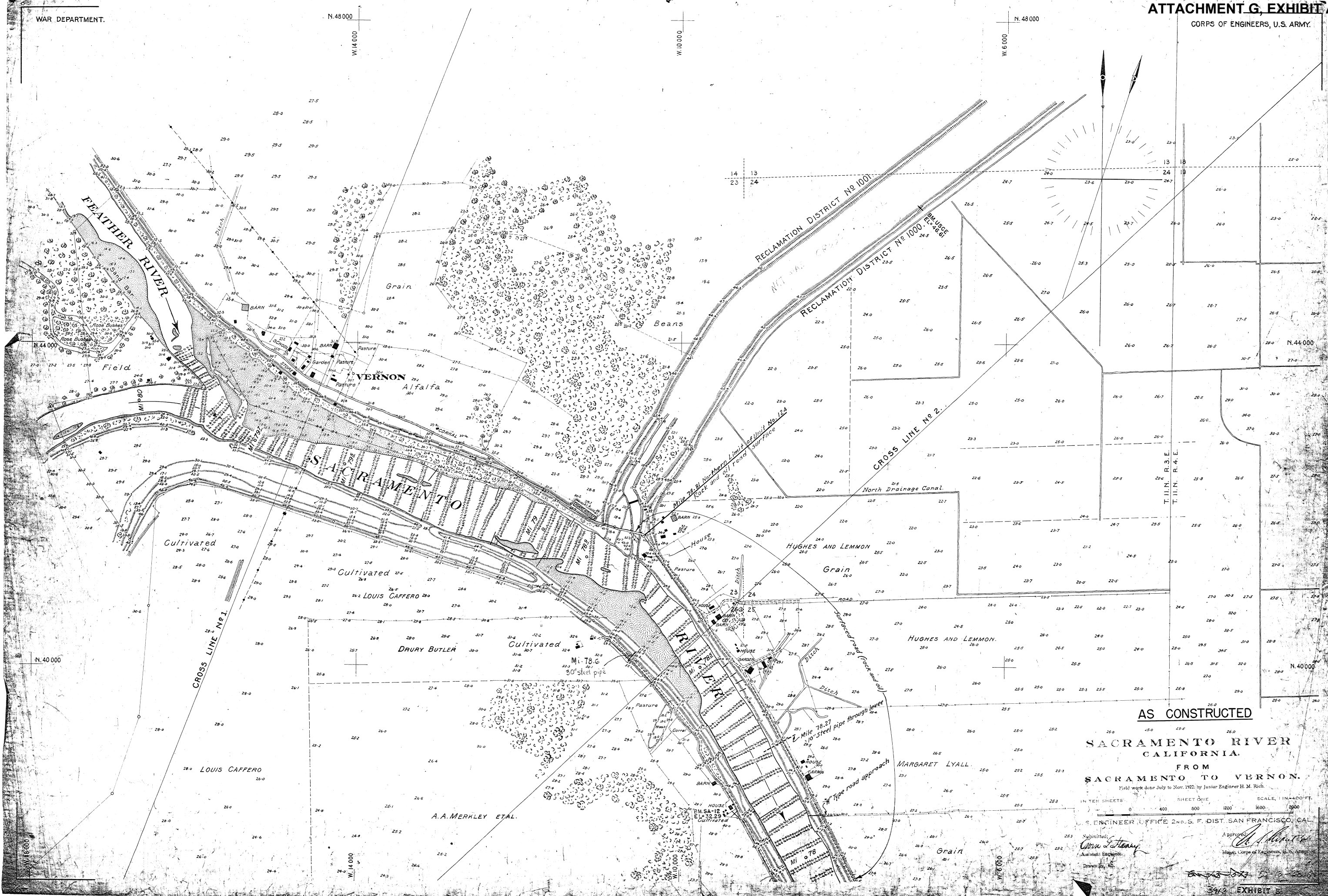
Signer's Name:

☐ Individual☐ Corporate Officer — Title(s):☐ Partner — ☐ Limited ☐ General☐ Attorney in Fact☐ Trustee☐ Guardian or Conservator☐ Other:

Signer Is Representing:

**RIGHT THUMBPRINT OF SIGNER**

Top of thumb here



AS CONSTRUCTED

SACRAMENTO RIVER  
CALIFORNIA.

FROM

SACRAMENTO TO VERNON.

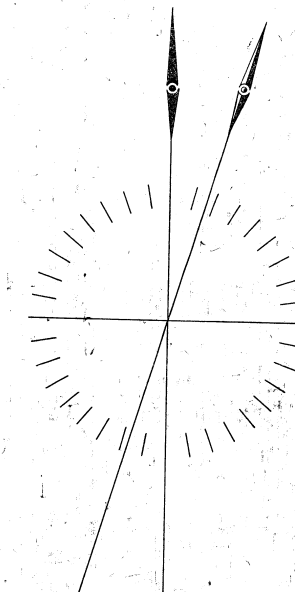
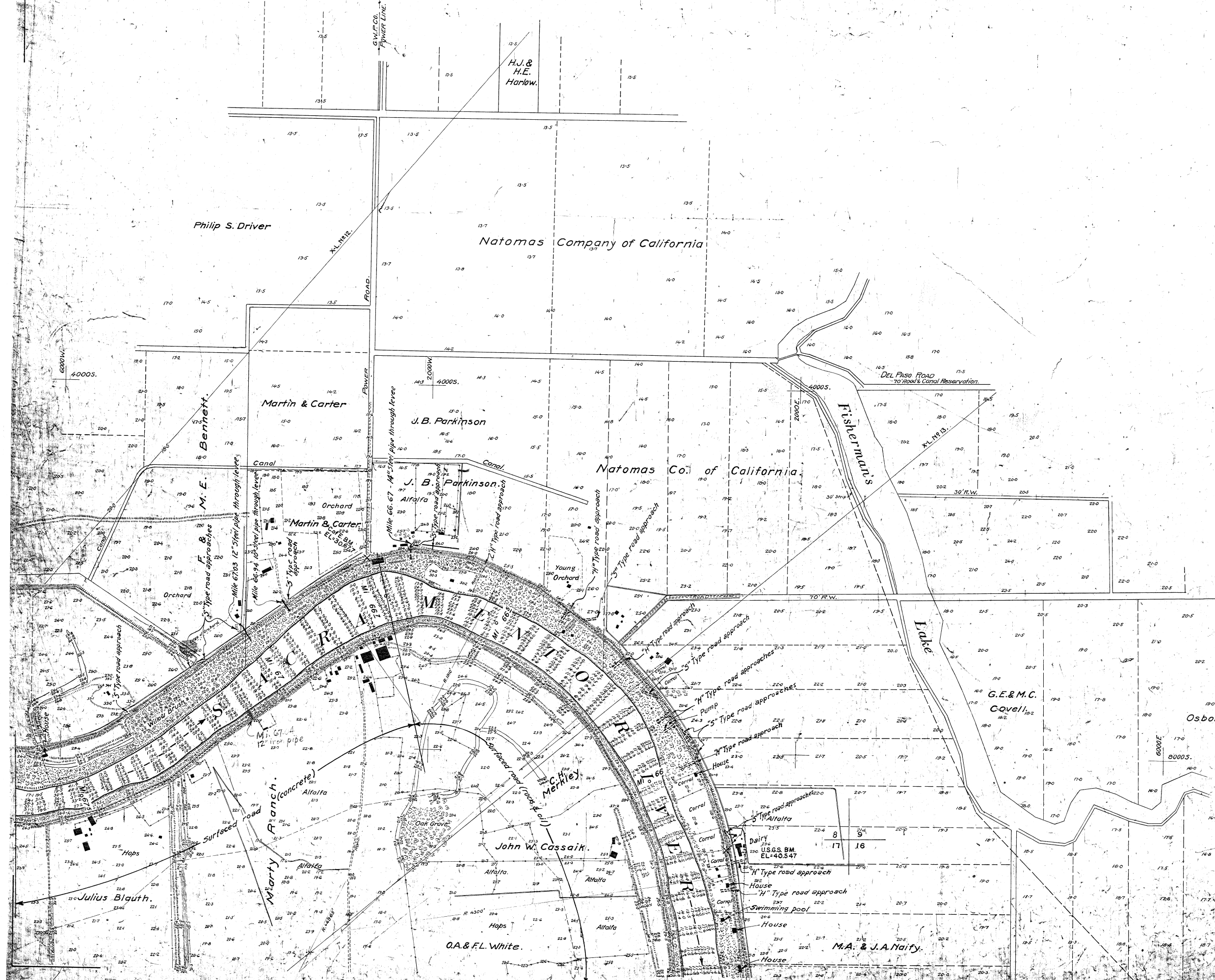
Field work done July to Nov. 1922, by Junior Engineer H. M. Rich.

INTEN SHEETS: 0 400 800 1200 1600 2000  
SHEET NO. 1  
SCALE: 1 IN. = 400 FT.  
U.S. ENGINEER OFFICE 2ND S. F. DIST. SAN FRANCISCO, CAL.

Submitted: *Anna L. Stearns*  
Approved: *C. A. Mearns*  
Assistant Engineer Major, Corps of Engineers, U.S. Army

3912 EXHIBIT B





**AS CONSTRUCTED**

**SACRAMENTO RIVER  
CALIFORNIA.  
FROM  
SACRAMENTO TO VERNON.**

Field work done July to Nov. 1922, by Junior Engineer H. M. Rich.

SHEET SEVEN  
SCALE 1" = 400'  
U.S. ENGINEER OFFICE, 2nd S. F. DIST. SAN FRANCISCO, CAL.  
Approved: *[Signature]*  
Major, Corps of Engineers, U.S. Army







FROM  
SACRAMENTO TO VERNON

Field work done July to Nov. 1922, by Junior Engineer H. M. Bieh

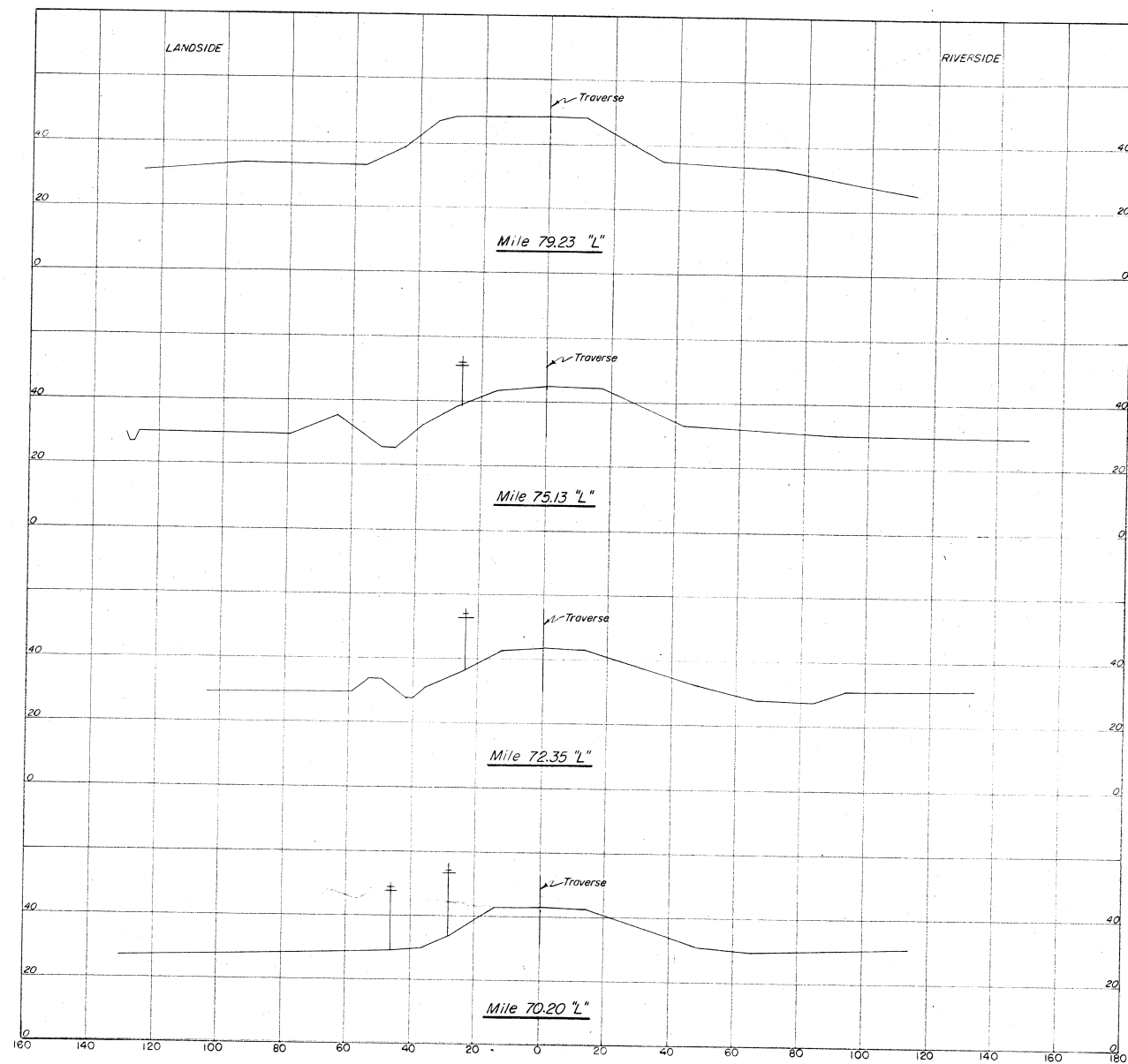
IN TEN SHEETS SHEET NINE SCALE 1 IN = 400 FT

U.S. ENGINEER OFFICE 2ND S. F. DIST SAN FRANCISCO, CALIF.

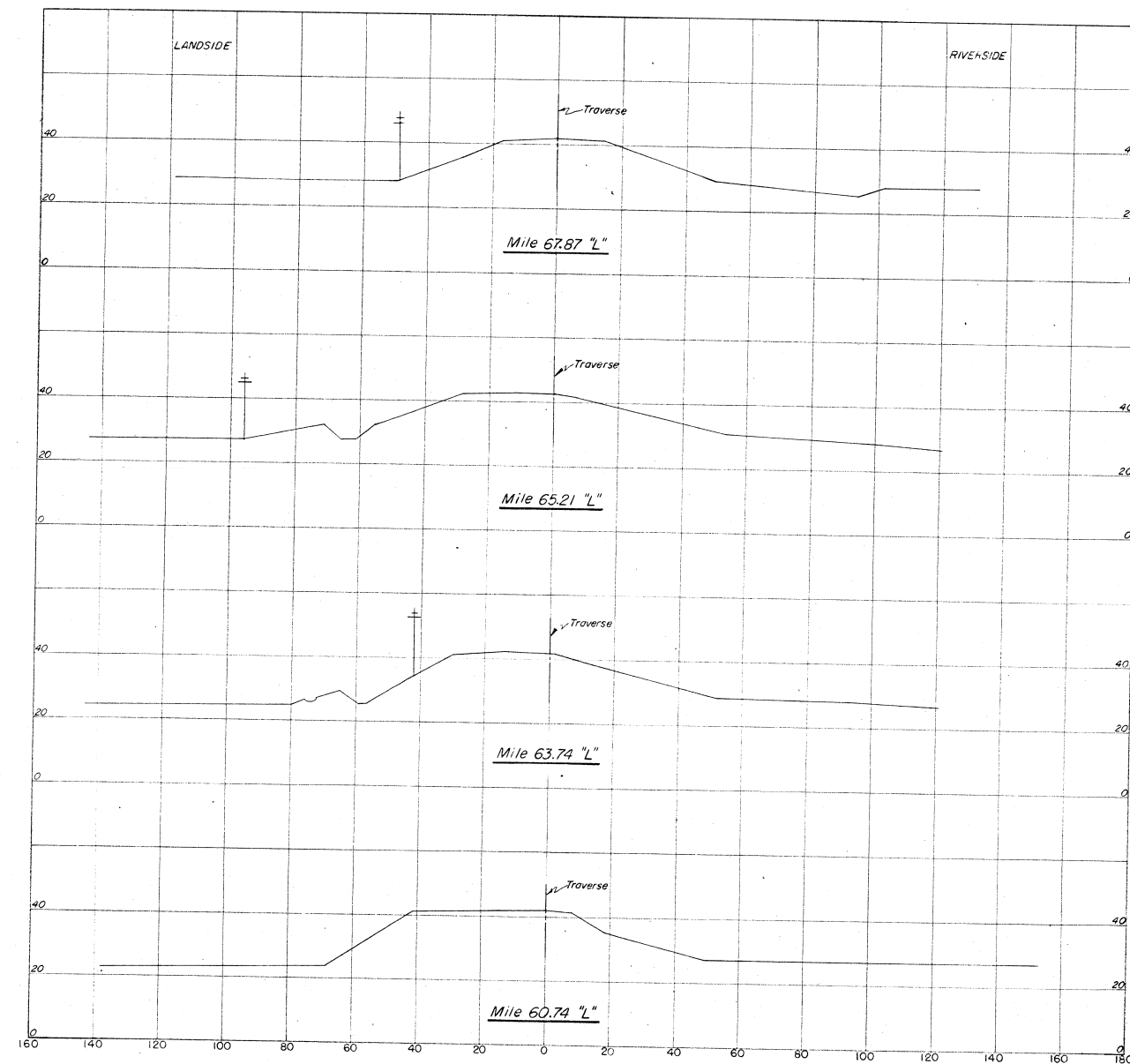
Submitted: C. E. Hancey Approved: W. L. Grant  
Assistant Engineer. Major, Corps of Engineers, U. S. Army

Drawn by: E.S. 50-13-2810

6-13-573 50-13-286  
EXHIBIT



TYPICAL SECTIONS  
SCALE: 1 IN. = 20 FT. HORIZ. & VERT.

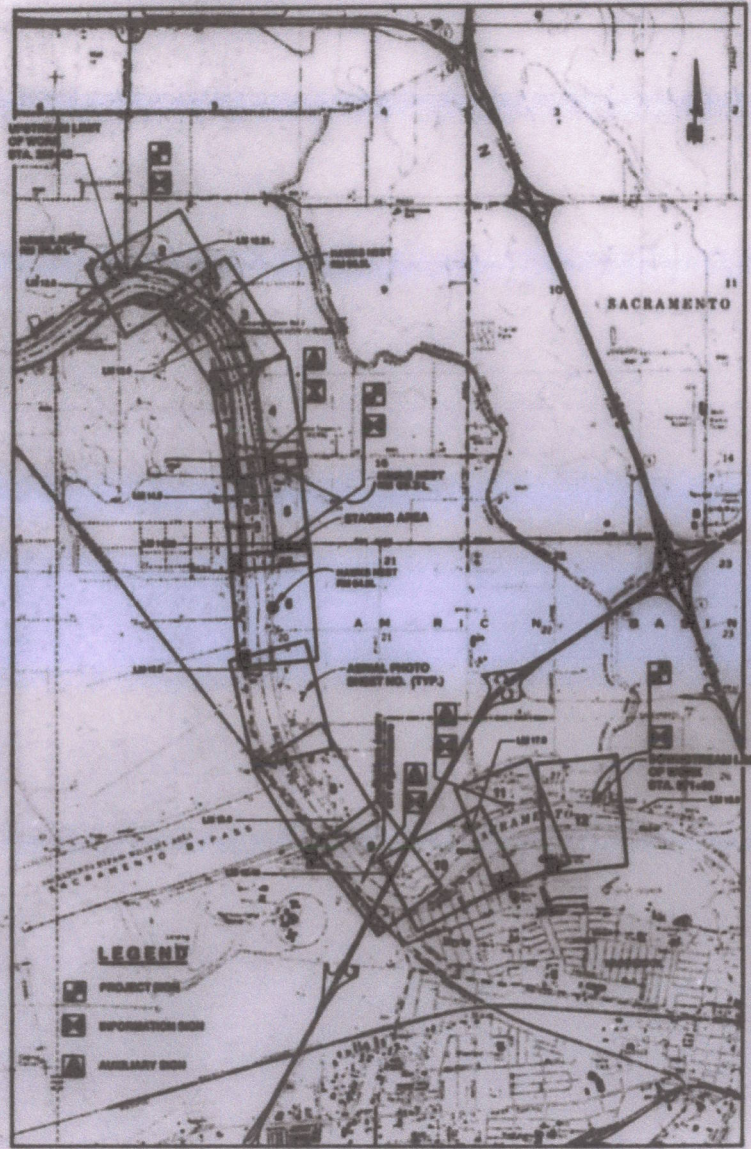


AS CONSTRUCTED

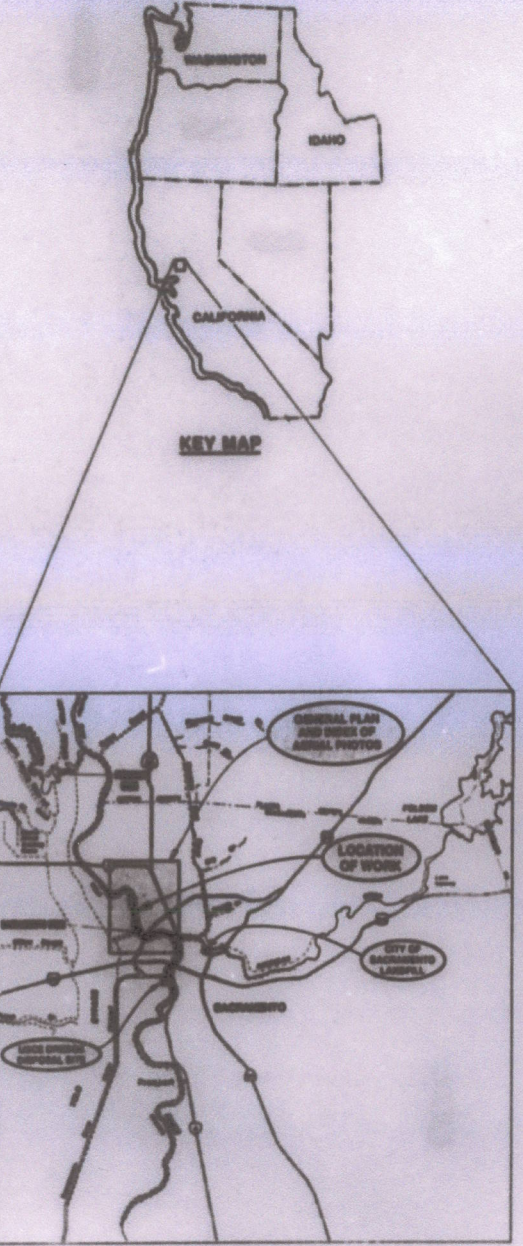
REVISION	DATE	DESCRIPTION	BY	BY
CORPS OF ENGINEERS, U. S. ARMY OFFICE OF THE DISTRICT ENGINEER SACRAMENTO DISTRICT SACRAMENTO, CALIFORNIA				
DRAWN BY:		SACRAMENTO RIVER, CALIFORNIA FLOOD CONTROL PROJECT		
SUBMITTED BY:		TYPICAL CROSS SECTIONS EAST LEVEE OF SACRAMENTO RIVER FROM NATOMAS CUT TO AMERICAN RIVER		
CHIEF	DESIGN	SECTION	APPROVED:	
CHIEF ENGINEERING DIVISION			APPROVED:	
SCALE: AS SHOWN		SPEC. NO.		
FILE NO. 50-4-2936		SHEET NO.		
DATE: MARCH 1952		IN SHEET 2936/1		



FUNCTION ANALYSIS - VE PAYS



GENERAL PLAN AND INDEX OF AERIAL PHOTOS  
SCALE  
2000 0 2000 FEET



VICINITY MAP  
NO SCALE

INDEX OF DRAWINGS

- 1 GENERAL PLAN AND INDEX OF DRAWINGS
- 2 AERIAL PHOTO - STA. 200+00 TO STA. 204+00
- 3 AERIAL PHOTO - STA. 204+00 TO STA. 208+00
- 4 AERIAL PHOTO - STA. 208+00 TO STA. 212+00
- 5 AERIAL PHOTO - STA. 212+00 TO STA. 216+00
- 6 AERIAL PHOTO - STA. 216+00 TO STA. 220+00
- 7 AERIAL PHOTO - STA. 220+00 TO STA. 224+00
- 8 AERIAL PHOTO - STA. 224+00 TO STA. 228+00
- 9 AERIAL PHOTO - STA. 228+00 TO STA. 232+00
- 10 AERIAL PHOTO - STA. 232+00 TO STA. 236+00
- 11 AERIAL PHOTO - STA. 236+00 TO STA. 240+00
- 12 AERIAL PHOTO - STA. 240+00 TO STA. 244+00
- 13 SITE PLAN INDEX AND LEGEND
- 14 SITE PLAN - STA. 200+00 TO STA. 210+00
- 15 SITE PLAN - STA. 210+00 TO STA. 220+00
- 16 SITE PLAN - STA. 220+00 TO STA. 230+00
- 17 SITE PLAN - STA. 230+00 TO STA. 240+00
- 18 SITE PLAN - STA. 240+00 TO STA. 250+00
- 19 SITE PLAN - STA. 250+00 TO STA. 260+00
- 20 SITE PLAN - STA. 260+00 TO STA. 270+00
- 21 SITE PLAN - STA. 270+00 TO STA. 280+00
- 22 SITE PLAN - STA. 280+00 TO STA. 290+00
- 23 EXPLANATION PLAN AND PROFILE
- 24 SLURRY CUTOFF WALL - DETAILS
- 25 SLURRY CUTOFF WALL - DETAILS
- 26 LEVER CROSS SECTIONS - STA. 200+00 TO STA. 210+00
- 27 LEVER CROSS SECTIONS - STA. 210+00 TO STA. 220+00
- 28 LEVER CROSS SECTIONS - STA. 220+00 TO STA. 230+00
- 29 LEVER CROSS SECTIONS - STA. 230+00 TO STA. 240+00
- 30 PIPE & CONDUIT RELOCATIONS - DETAILS AND SCHEDULES

GENERAL NOTES:

- 1. GENERAL NOTES ARE APPLICABLE FOR ALL WORK UNDER FILE NO. 50-4-5833 UNLESS OTHERWISE NOTED ON APPROPRIATE SHEET.
- 2. THE CONTRACTOR SHALL CONTAIN HIS OPERATIONS TO THE LEVEE CROWN UNLESS OTHERWISE INDICATED.
- 3. ACCESS TO THE WORK AREA SHALL BE FROM PUBLIC ROADS OR FROM RAMP AS INDICATED IN THE DRAWINGS UNLESS OTHERWISE DIRECTED BY THE CONTRACTING OFFICER.
- 4. THE CONTRACTOR SHALL PLAN HIS WORK TO MINIMIZE DISRUPTION OF TRAFFIC AND ACCESS TO RESIDENCES DURING CONSTRUCTION, AS DESCRIBED IN THE SPECIFICATIONS.
- 5. THE CONTRACTOR SHALL NOT UNDERMINE WORK UNDER THIS FILE UNLESS APPROVED IN WRITING BY THE CONTRACTING OFFICER.
- 6. THE CONTRACTOR SHALL NOT DISTURB PLANTS AND OTHER VEGETATION OUTSIDE THE LIMITS OF THE WORK AREA.
- 7. THE SURVEY TRAILERS AND BRIDGES INDICATED ARE FROM THE STATE OF CALIFORNIA, DEPARTMENT OF HIGHWAYS, BUREAU OF HIGHWAYS, LINE NO. 100. FIELD NOTES FOR SITE TRAILERS ARE ON FILE IN THE OFFICE OF THE CONTRACTING OFFICER AND ARE PRESENTED IN APPENDIX B OF THE SPECIFICATIONS.
- 8. SURVEY GRID COORDINATES ARE BASED ON THE CALIFORNIA COORDINATE SYSTEM ZONE 4, 1987.
- 9. LEVER MALE END ARE PROVIDED FOR INFORMATION ONLY AND ARE APPROXIMATE LEVER MALES ARE BASED ON DATA OF CALIFORNIA, DEPARTMENT OF HIGHWAYS, DIVISION OF FLOOD MANAGEMENT, SACRAMENTO RIVER FLOOD CONTROL, PROJECT RECLAMATION DISTRICT 1000 INSPECTION LOGS.
- 10. ELEVATIONS REFER TO MEAN SEA LEVEL UNLESS OTHERWISE NOTED.
- 11. MEASURES MUST BE TAKEN TO MINIMIZE IMPACTS TO THE INTERESTS OF THE STATE-LETTER TRANSFERRED WORK. THE CONTRACTOR SHALL, DURING CONSTRUCTION, MAINTAIN THE PROJECT AREA FREE FROM ALL OBSTRUCTIONS TO TRAVEL. TO MAINTAIN THE PROJECT AREA FREE FROM ALL OBSTRUCTIONS TO TRAVEL, THE CONTRACTOR SHALL MAINTAIN THE PROJECT AREA FREE FROM ALL OBSTRUCTIONS TO TRAVEL. TO MAINTAIN THE PROJECT AREA FREE FROM ALL OBSTRUCTIONS TO TRAVEL, THE CONTRACTOR SHALL MAINTAIN THE PROJECT AREA FREE FROM ALL OBSTRUCTIONS TO TRAVEL.
- 12. THE CITY OF SACRAMENTO LANDFILL IS AVAILABLE FOR DISPOSAL OF NON-HAZARDOUS SPILL, INCLUDING CONCRETE AND ASPHALT GENERATED BY OPERATIONS IN COMPLIANCE WITH THE CONTRACTOR'S OBLIGATION TO THE CONTRACTING OFFICER. THE CITY OF SACRAMENTO LANDFILL IS AVAILABLE FOR DISPOSAL OF NON-HAZARDOUS SPILL, INCLUDING CONCRETE AND ASPHALT GENERATED BY OPERATIONS IN COMPLIANCE WITH THE CONTRACTOR'S OBLIGATION TO THE CONTRACTING OFFICER.

AS-CONSTRUCTED  
CONTR. NO. 50-4-5833

WORKER ASSOCIATES  
M.R. MOORE  
S.T. SANCY  
C.W. PERRY

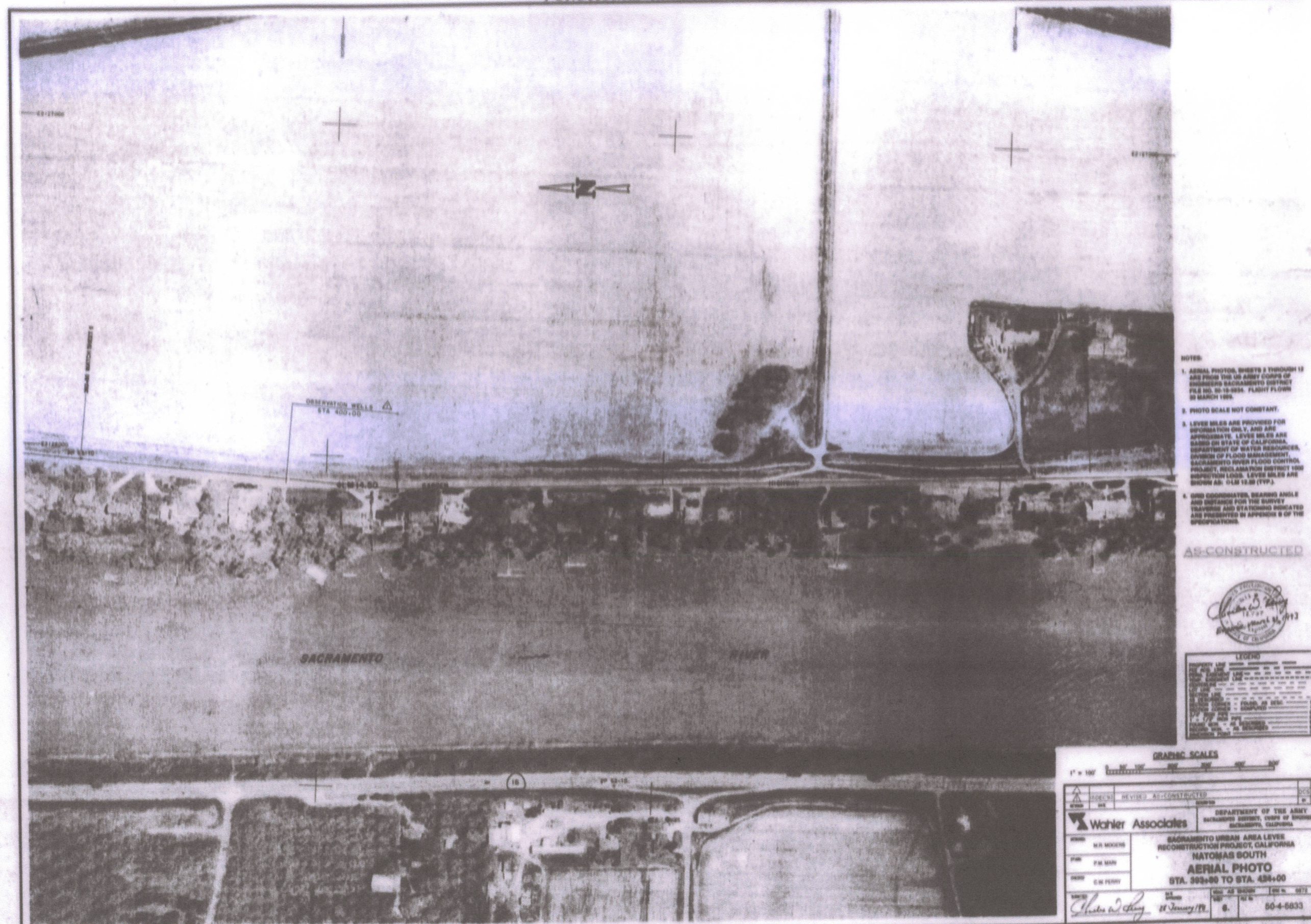
SACRAMENTO URBAN AREA LEVEE RECONSTRUCTION PROJECT, CALIFORNIA  
NATOMAS SOUTH  
GENERAL PLAN AND INDEX OF DRAWINGS

SIGNATURES AFFIXED BELOW INDICATE OFFICIAL RECOMMENDATION AND APPROVAL OF ALL DRAWINGS IN THIS SET AS INDICATED ON THIS SHEET

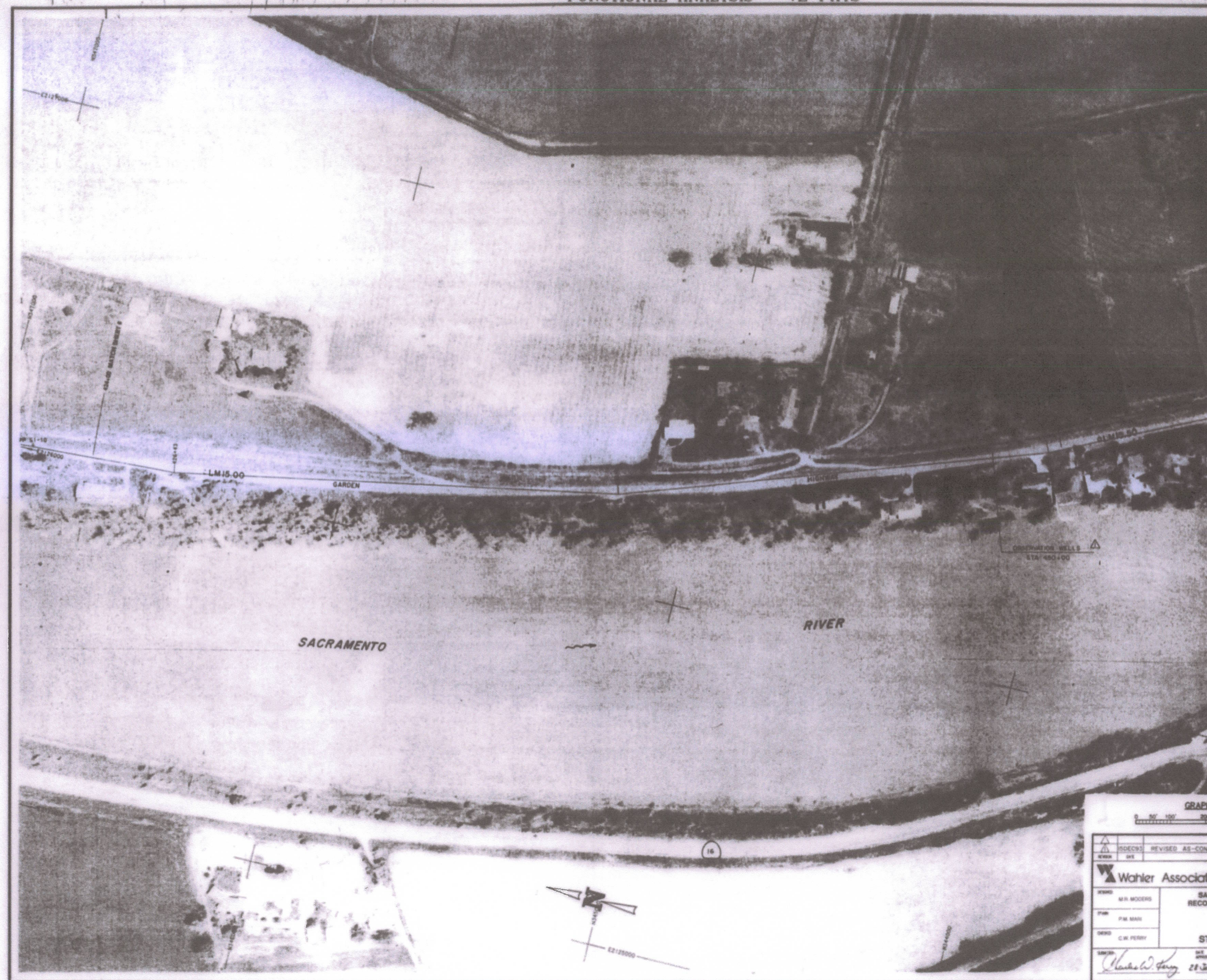
LAURENCE B. SADOFF  
SACRAMENTO DISTRICT 1000 INSPECTION LOGS

DATE: 11/1/91  
SHEET: 1 OF 1  
50-4-5833









4. GRID COORDINATES, BEARING ANGLE AND DISTANCE FOR THE SURVEY TRAVERSE AND STATIONING INDICATED ARE PRESENTED IN APPENDIX B OF THE SPECIFICATIONS.

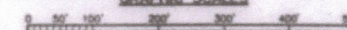
AS-CONSTRUCTED



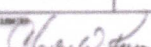


**LEGEND**

PROPERTY LINE  
FEET ACROSS LINE  
PERMANENT EASEMENT  
TEMPORARY EASEMENT  
CENTERLINE  
LOT LINE  
SECTION LINE  
AS DESCRIBED  
SECTION CORNER  
SECTION CORNER  
1/4" IRON PIPE  
1" - 1/2" IRON PIPE  
AS DESCRIBED  
AS DESCRIBED  
DIVISION POINT

### GRAPHIC SCALES

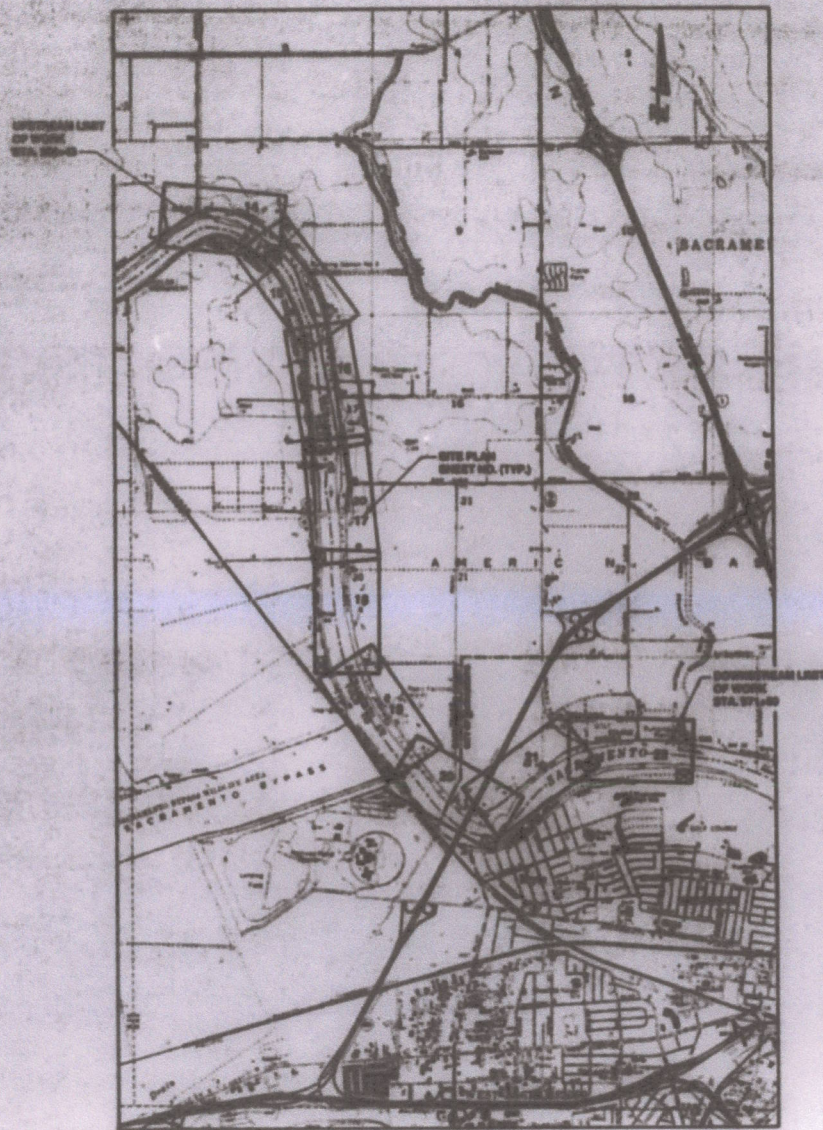


	PROJECT NO.	REVISED AS-CONSTRUCTED	DATE	02/28/99
	DATE			
 <b>Wahler Associates</b>		DEPARTMENT OF THE ARMY SACRAMENTO DISTRICT, GROUP OF ENGINEERS SACRAMENTO, CALIFORNIA		
OWNER	SACRAMENTO URBAN AREA LEVEE RECONSTRUCTION PROJECT, CALIFORNIA			
DESIGNER	N.M. MOORE			
DATE	P.M. MAH			
CHECK	C.W. PERRY			
DRAWN BY 		DATE APPROVED	28 January 1999	
SCALE: AS SHOWN (N/A)		SHEET 7	SHEET NO. 5872 504-5833	

## SAFETY PAYS



FUNCTION ANALYSIS - VE PAYS



INDEX OF SITE PLANS  
SCALE  
2000 0 2000 FEET

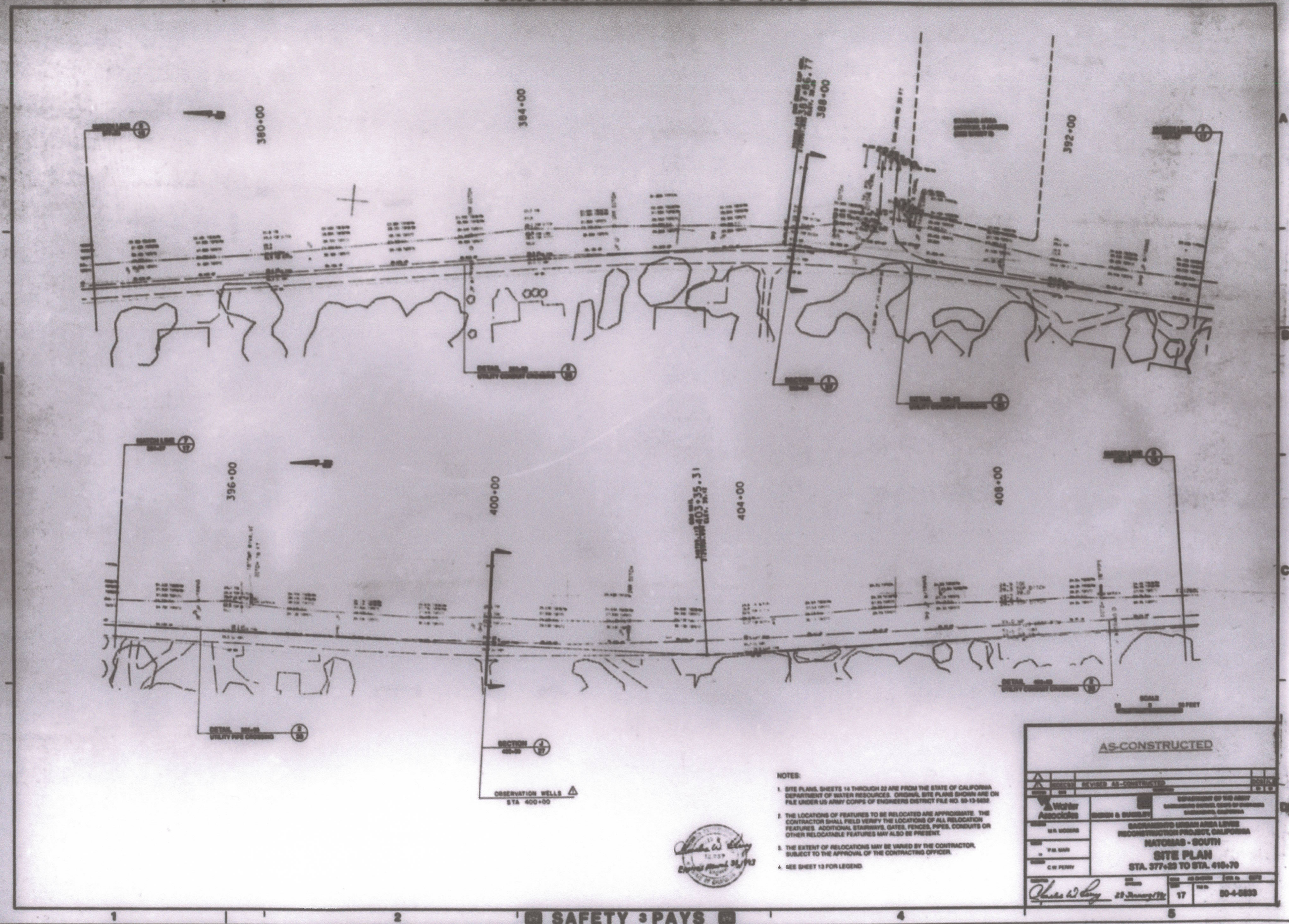
LEGEND	
TOPOGRAPHIC FEATURES AND ABBREVIATIONS	
SCALE 1"=50'	
	INDIVIDUAL TREES
	CLUMPS OF TREES OR HEAVY BRUSH
	EDGE OF WATER, CANAL, LAKES, ETC.
	FENCE
	GUARD RAIL
	CENTER LINE RAILROAD
	LEVEE SPREAD, HP AND TOE (APPROXIMATE LOCATION)
	GENERAL TOPOGRAPHIC FEATURES AS NOTED
	PAVED ROAD OR TURNING LOT LINES
	DIRT OR GRAVEL ROAD
	JEEP TRAIL (WIDTH OF TIRES)
	TRAIL (SINGLE LINE, NON-VEHICULAR)
AC	ASPHALTIC CONCRETE PAVING SURFACE
BC	BEGIN CURVE
CL OR C/L	CENTER LINE
CSP	CORRUGATED METAL PIPE
CHC	CONCRETE
CTH	COTTONWOOD TREE
DTL	ENTER OR EXIT OF PIPE FROM LEVEE
DTL	DITCH
DRWAY	DRIVEWAY
EC	END CURVE
ENT	ENTER (PIP ENT LEVEE)
EP	EDGE PAVEMENT
EUC	EUCALYPTUS TREE
F/L	FLOW LINE
FNC	FENCE
HDBAL	HEAD BALL
HP	HINGE POINT LEVEE
IRR	IRRIGATION
JP	JOINT POLE, POWER & TELEPHONE
LS	LAND SIDE
MHC	MINOR COVER
WTR	ELECTRICAL OR WATER METER
PIP	PIPE
POC	POINT ON CURVE
POL	POLE
PWR	POWER
STD PIP	IRRIGATION STAND PIPE
TEL POL	TELEPHONE POLE
TOL	TOE LEVEE
TRANS	ELECTRICAL TRANSFORMER
WS	WATER SIDE
WZ BASE	LOCATION OF SURVEY BASELINE ON WHICH THE LEVEE CROSS SECTIONS ARE BASED

1. SITE PLANS ARE PRESENTED ON SHEETS 14 THROUGH 22, AS INDICATED ON THE INDEX.
2. SITE PLAN BASES AND LEGEND ARE FROM THE STATE OF CALIFORNIA DEPARTMENT OF WATER RESOURCES. ORIGINAL SITE PLANS ARE ON FILE UNDER U.S. ARMY CORPS OF ENGINEERS DISTRICT FILE NO. 80-13-5832.
3. THE LEGEND ABOVE REFERS TO THE EXISTING FEATURES SHOWN ON THE SITE PLANS.
4. SEE GENERAL NOTES ON SHEET 1.

AS-CONSTRUCTED	
DEPARTMENT OF THE ARMY ENGINEERING DISTRICT OFFICE OF ENGINEERS SACRAMENTO, CALIFORNIA	
SACRAMENTO URBAN AREA LEVEE RECONSTRUCTION PROJECT, CALIFORNIA	
NATOMAS SOUTH	
SITE PLAN INDEX AND LEGEND	
DATE 28 January 1971	BY Charles W. Berg
13	80-13-5832

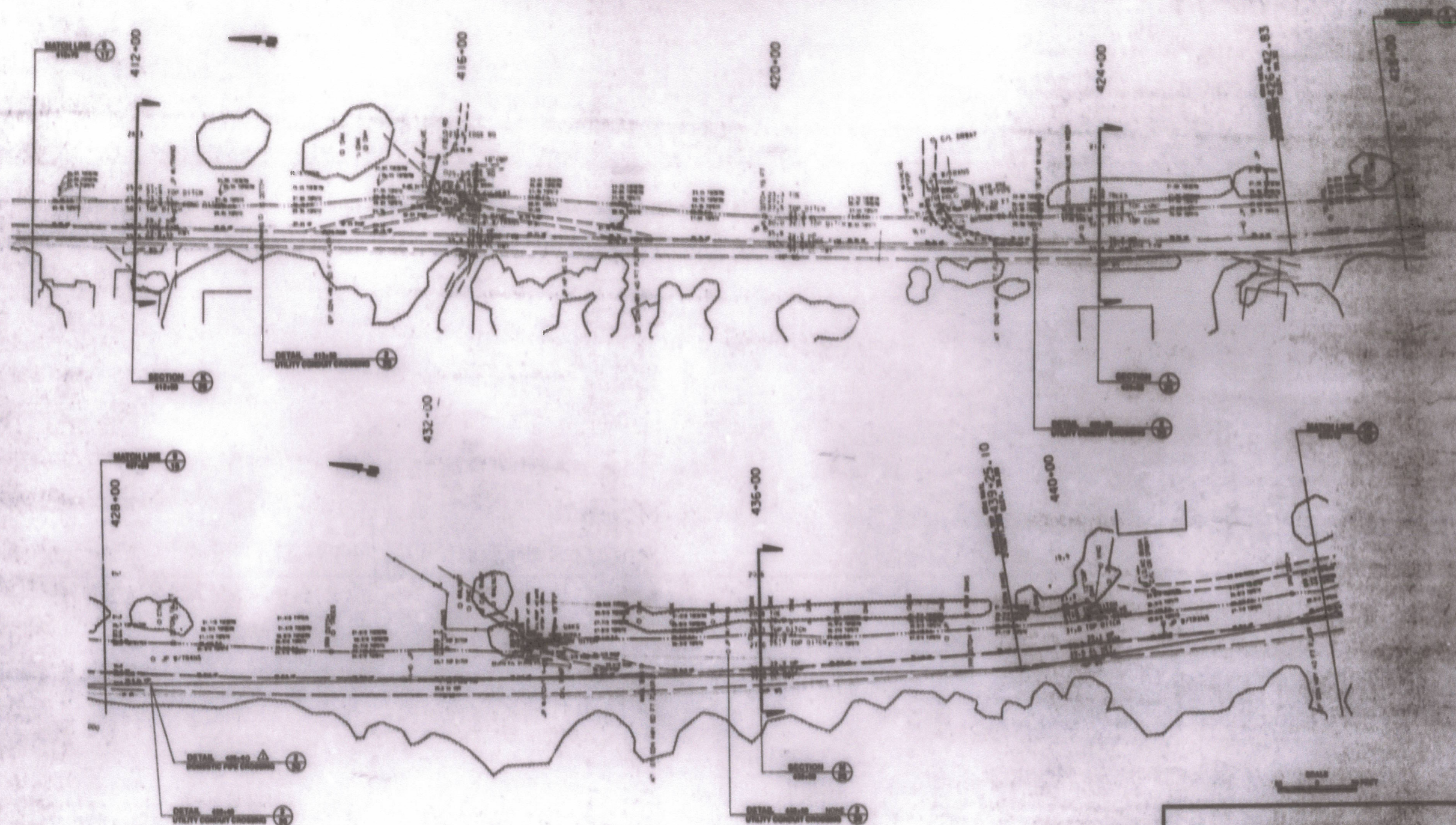


## FUNCTION ANALYSIS - VE PAYS





## FUNCTION ANALYSIS - VE PAYS



## NOTES:

1. SITE PLANS, SHEETS 14 THROUGH 20 ARE FROM THE STATE OF CALIFORNIA DEPARTMENT OF WATER RESOURCES. ORIGINAL SITE PLANS SHOWN ARE ON PLS UNDER US ARMY CORPS OF ENGINEERS DISTRICT FILE NO. 99-12-1000.
2. THE LOCATIONS OF FEATURES TO BE RELOCATED ARE SHOWN. THE CONTRACTOR SHALL FIELD VERIFY THE LOCATIONS OF ALL RELOCATION FEATURES. ADDITIONAL STAIRWAYS, GATES, PIPES, DRAINAGE OR OTHER RELOCATABLE FEATURES MAY ALSO BE PRESENT.
3. THE EXTENT OF RELOCATIONS MAY BE VARY BY THE CONTRACTOR, SUBJECT TO THE APPROVAL OF THE CONTRACTING OFFICER.
4. SEE SHEET 13 FOR LEGEND.



AS-CONSTRUCTED	
DATE	REVISION
10/1/73	1.0
10/1/73	2.0
10/1/73	3.0
10/1/73	4.0
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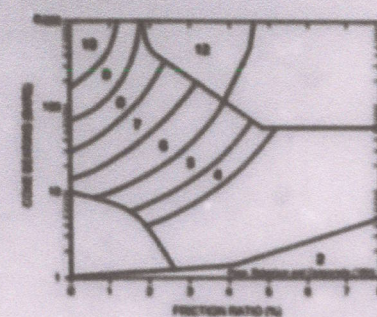
SAFETY - PAYS



## FUNCTION ANALYSIS-VE PAYS



## EXPLORATION PLAN



ITEM	SOIL DESCRIPTION TYPE	SIMILAR TO USCS SOIL DESCRIPTION
1	GRAVELLY FINE GRAINED	
2	GRAINED MATERIAL	
3	CLAY	CH
4	SILTY CLAY TO CLAY	CI
5	CLAYEY SILT TO SILTY CLAY	MI - CI
6	SANDY SILT TO CLAYEY SILT	SM - MI
7	SILTY SAND TO SANDY SILT	SM - ML
8	SAND TO SILTY SAND	SP - SM
9	SAND	SP
10	GRAVELLY SAND TO SAND	SM - SP
11	VERY STIFF FINE GRAINED	
12	SAND TO CLAYEY SAND	

### CONE PENETRATION TEST (CPT) CORRELATION WITH SOIL BEHAVIOR TYPE AND SOIL CLASSIFICATION

UNITED STATES OF AMERICA - DEPARTMENT OF DEFENSE				
PRIMARY DIVISIONS			UNIT	SECONDARY DIVISIONS
<b>ARMED SERVICES</b> ARMY NAVY AIR FORCE MARINE CORPS COAST GUARD	<b>ARMED SERVICES</b> ARMY NAVY AIR FORCE MARINE CORPS COAST GUARD	ARMED SERVICES	01	ARMED SERVICES - ARMY, NAVY, AIR FORCE, MARINE CORPS, COAST GUARD
		ARMED SERVICES	02	ARMED SERVICES - ARMY, NAVY, AIR FORCE, MARINE CORPS, COAST GUARD
	<b>ARMED SERVICES</b> ARMY NAVY AIR FORCE MARINE CORPS COAST GUARD	ARMED SERVICES	03	ARMED SERVICES - ARMY, NAVY, AIR FORCE, MARINE CORPS, COAST GUARD
		ARMED SERVICES	04	ARMED SERVICES - ARMY, NAVY, AIR FORCE, MARINE CORPS, COAST GUARD
<b>ARMED SERVICES</b> ARMY NAVY AIR FORCE MARINE CORPS COAST GUARD	<b>ARMED SERVICES</b> ARMY NAVY AIR FORCE MARINE CORPS COAST GUARD	ARMED SERVICES	05	ARMED SERVICES - ARMY, NAVY, AIR FORCE, MARINE CORPS, COAST GUARD
		ARMED SERVICES	06	ARMED SERVICES - ARMY, NAVY, AIR FORCE, MARINE CORPS, COAST GUARD
	<b>ARMED SERVICES</b> ARMY NAVY AIR FORCE MARINE CORPS COAST GUARD	ARMED SERVICES	07	ARMED SERVICES - ARMY, NAVY, AIR FORCE, MARINE CORPS, COAST GUARD
		ARMED SERVICES	08	ARMED SERVICES - ARMY, NAVY, AIR FORCE, MARINE CORPS, COAST GUARD
<b>ARMED SERVICES</b> ARMY NAVY AIR FORCE MARINE CORPS COAST GUARD	<b>ARMED SERVICES</b> ARMY NAVY AIR FORCE MARINE CORPS COAST GUARD	ARMED SERVICES	09	ARMED SERVICES - ARMY, NAVY, AIR FORCE, MARINE CORPS, COAST GUARD
		ARMED SERVICES	10	ARMED SERVICES - ARMY, NAVY, AIR FORCE, MARINE CORPS, COAST GUARD
	<b>ARMED SERVICES</b> ARMY NAVY AIR FORCE MARINE CORPS COAST GUARD	ARMED SERVICES	11	ARMED SERVICES - ARMY, NAVY, AIR FORCE, MARINE CORPS, COAST GUARD
		ARMED SERVICES	12	ARMED SERVICES - ARMY, NAVY, AIR FORCE, MARINE CORPS, COAST GUARD
<b>ARMED SERVICES</b> ARMY NAVY AIR FORCE MARINE CORPS COAST GUARD	<b>ARMED SERVICES</b> ARMY NAVY AIR FORCE MARINE CORPS COAST GUARD	ARMED SERVICES	13	ARMED SERVICES - ARMY, NAVY, AIR FORCE, MARINE CORPS, COAST GUARD
		ARMED SERVICES	14	ARMED SERVICES - ARMY, NAVY, AIR FORCE, MARINE CORPS, COAST GUARD
	<b>ARMED SERVICES</b> ARMY NAVY AIR FORCE MARINE CORPS COAST GUARD	ARMED SERVICES	15	ARMED SERVICES - ARMY, NAVY, AIR FORCE, MARINE CORPS, COAST GUARD
		ARMED SERVICES	16	ARMED SERVICES - ARMY, NAVY, AIR FORCE, MARINE CORPS, COAST GUARD
<b>ARMED SERVICES</b> ARMY NAVY AIR FORCE MARINE CORPS COAST GUARD	<b>ARMED SERVICES</b> ARMY NAVY AIR FORCE MARINE CORPS COAST GUARD	ARMED SERVICES	17	ARMED SERVICES - ARMY, NAVY, AIR FORCE, MARINE CORPS, COAST GUARD
		ARMED SERVICES	18	ARMED SERVICES - ARMY, NAVY, AIR FORCE, MARINE CORPS, COAST GUARD
	<b>ARMED SERVICES</b> ARMY NAVY AIR FORCE MARINE CORPS COAST GUARD	ARMED SERVICES	19	ARMED SERVICES - ARMY, NAVY, AIR FORCE, MARINE CORPS, COAST GUARD
		ARMED SERVICES	20	ARMED SERVICES - ARMY, NAVY, AIR FORCE, MARINE CORPS, COAST GUARD
ARMED SERVICES			21	ARMED SERVICES - ARMY, NAVY, AIR FORCE, MARINE CORPS, COAST GUARD

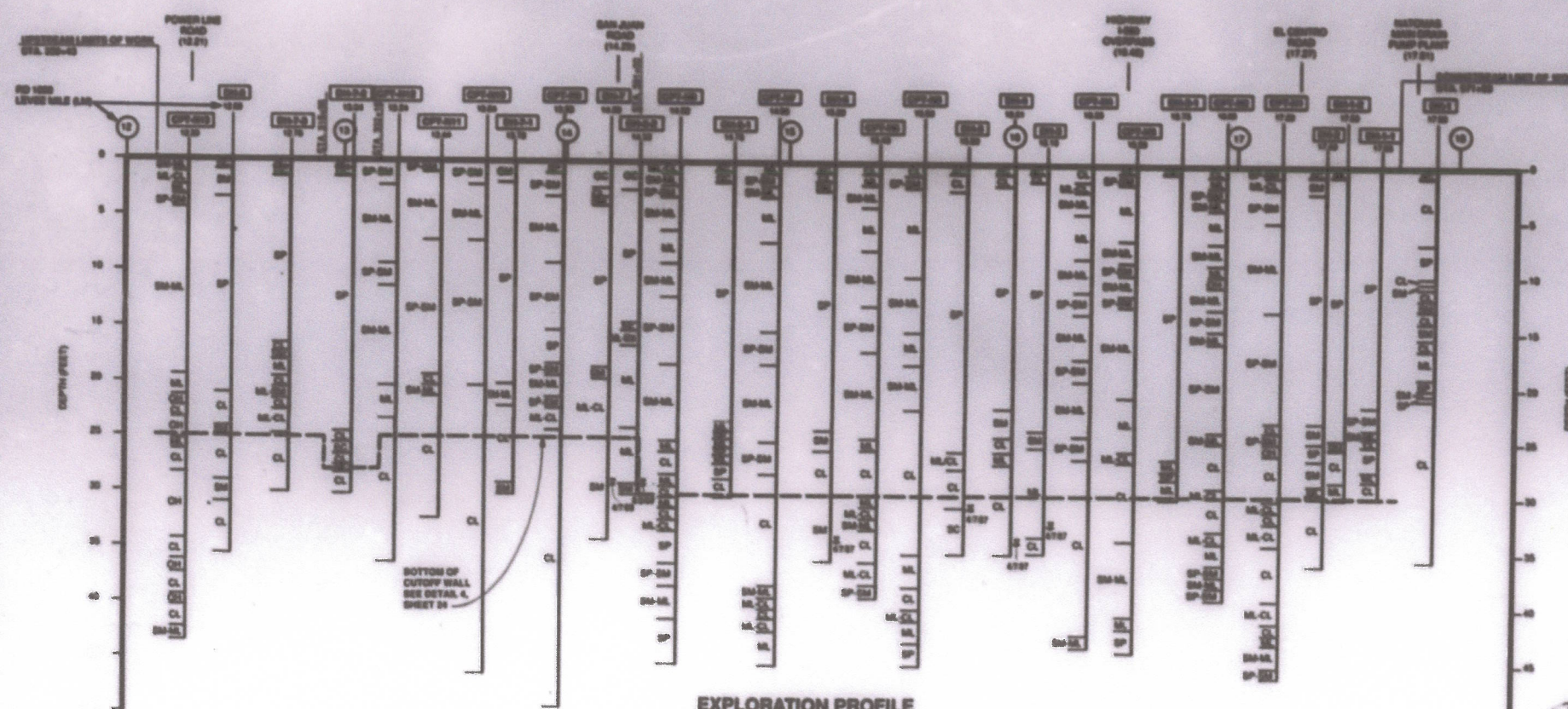
### SUMMARY OF RELEVANT DATA

CODE SHEETS NO.	APPROXIMATE LIFETIME SALES	ESTIMATED PERCENTAGE OF REVENUE (PERCENT)	APPROXIMATE THRESHOLD	
			ADVERTISING (PERCENT)	GENERAL (PERCENT)
0-1	17.5	0.5	0.4	1.0
0-2	17.5	0.5	0.4	0.75
0-3	15.5	0.5	0.4	0.5
0-4	15.5	0.5	0.4	0.75
0-5	15.5	0.5	0.4	0.5
0-6	15.5	0.4	0.45	0.45
0-7	14.5	0.5	0.35	0.35
0-8	14.5	0.5	0.4	0.4
0-9	13.5	0.5	0.4	0.4
0-10	13.5	0.4	0.4	0.45
0-11	12.5	0.4	0.5	0.4

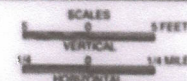
NOTE: NATIVE LENSE MATERIAL WAS ENCOUNTERED BENEATH THE CONCRETE.

NOTES


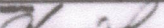
1. BORING AND CORE PENETRATION TEST (CPT) SOUNDING LOCATIONS ARE APPROXIMATE.
2. EXPLORATORY BORINGS WERE DRILLED FROM THE LARGEST SHOULDER OF THE LEVEE CROWN. CPT SOUNDINGS AND PRESENT CORE HOLES WERE LOCATED APPROXIMATELY 9' TO 8' FROM THE CENTERLINE IN THE NORTH-SOUTH LANE OF THE GARDEN HIGHWAY.
3. EXPLORATORY BORINGS AND CPT SUMMARY LOGS ARE SHOWN ON THE PROFILE. THE COMPLETE LOGS ARE INCLUDED IN THE TECHNICAL SPECIFICATIONS, APPENDIX A. A SUMMARY OF THE PRESENT MATERIALS SUBMITTED IN THE PRESENT CORE HOLES ARE PRESENTED IN THE TABLE ABOVE.
4. SOIL CLASSIFICATIONS FOR THE EXPLORATORY BORINGS ARE IN ACCORDANCE WITH THE UNITED SOIL CLASSIFICATION SYSTEM (USCS) SHOWN ABOVE. SOIL BEHAVIOR TYPES FOR THE CLASSIFICATION OF MATERIALS ENCOUNTERED DURING THE CPT SOUNDINGS ARE IN ACCORDANCE WITH THE METHOD OF ROBERTSON AND CAMPANELLA (1984) SHOWN ABOVE AND USED FOR INTERPRETATION OF THE SOUNDING LOG PENETROMETER TEST. THE CORRELATION USED BETWEEN SOIL BEHAVIOR TYPE AND CPT TEST RESULTS IS PRESENTED ABOVE. SOIL BEHAVIOR TYPES ARE SIMILAR TO THE USCS DESIGNATIONS LISTED.
5. 4767 DENOTES WATER LEVEL ENCOUNTERED ON THE DATE DRILLED.
6. SEE GENERAL NOTES ON SHEET 1.



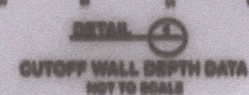
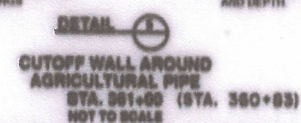
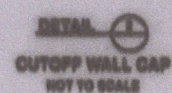
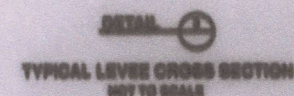
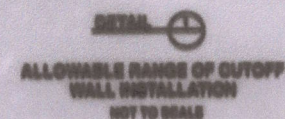
## EXPLORATION PROFILE




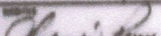
## AS-CONSTRUCTED

 <b>Wahler Associates</b>		DEPARTMENT OF THE ARMY SACRAMENTO DISTRICT OFFICE SACRAMENTO, CALIFORNIA	
MR. ROGERS		SACRAMENTO URBAN AREA LEVEE RECONSTRUCTION PROJECT, CALIFORNIA NATOMAS SOUTH <b>EXPLORATION PLAN AND PROFILE</b>	
M.T. TARCZY			
C.W. PERLEY			
		DATE 22 January 1974	SHEET NO. 23
		AS SHOWN SEE PL.	SHEET NO. 50-4-5833





- NOTES:**
1. DEPTH OF CUTOFF WALL REFERS TO THE DEPTH BELOW EXISTING LEVEE CROWN ELEVATION ALONG CUTOFF WALL ALIGNMENT
  2. THE ELEVATION OF THE LEVEE CROWN VARIES
  3. THE ELEVATION OF THE BOTTOM OF THE CUTOFF WALL VARIES

<b>AS-CONSTRUCTED</b>			
<div style="display: flex; justify-content: space-between;"> <div>  <b>Wahler Associates</b>  <small>OWNER</small>  <b>MT TANCY</b>  <small>OWNER</small>  <b>MR MCKENZIE</b>  <small>OWNER</small>  <b>GM PERDY</b> </div> <div style="text-align: center;"> <b>SACRAMENTO URBAN AREA LEVEE RECONSTRUCTION PROJECT, CALIFORNIA NATOMAS SOUTH SLURRY CUTOFF WALL DETAILS</b> </div> <div> <small>DESIGNED BY</small>    <small>DATE</small> 02/28/88  <small>BY</small> 04  <small>NO</small> 0072  <small>FILE NO</small> 00-4-5833         </div> </div>			





1. INSTALL WELLS AT THE WATERSIDE HINGE POINT, LANDSIDE HINGEPOINT, AND LANDSIDE SLOPE AS SHOWN ON DETAIL  AT THE FOLLOWING LOCATIONS:

STA 300+00  
STA 301+00  
STA 400+00  
STA 400+00  
STA 500+00  
STA 500+00

9. LOCATIONS OF OBSERVATION WELLS ALONG THE LEVER ARE APPROXIMATE. WELLS SHOULD BE LOCATED TO AVOID UTILITIES OR OTHER PIPE CROSSINGS. FIELD CONFORMATION OF ADJACENT PIPE LOCATIONS IS THE CONTRACTOR'S RESPONSIBILITY. FINAL APPROVAL OF WELL LOCATIONS SHALL BE MADE BY THE CONTRACTING OFFICER.

3. THE GROUNDWATER OBSERVATION WELLS SHALL BE INSTALLED IN 8-INCH DIAMETER BOREHOLES AT THE LOCATIONS AND TO THE DEPTHS INDICATED. THE WELLS SHALL BE CONSTRUCTED OF THE FOLLOWING MATERIALS:

**WELL SCREEN** 1.25 INCH I.D. BY 2 FEET  
SCHEDULE 40 PVC  
FLUSH THREADED TOP AND  
PLUGGED BOTTOM  
SLOTS: 3 ROWS OF 0.020 INCH  
SLOTS WITH 0.25 INCH  
SPACING

PIPER PIPE: 1.50 INCH I.D.  
SCHEDULE 40 PVC  
FLUSH THROUGH

1.25 INCH I.D.  
SCHEDULE 40 PVC  
SLIP ON  
UNION

LOCKING STEEL  
PROTECTIVE COVER: 6 HIGH 12 BY 18 HIGH  
NON-SLIP LOCKING STEEL

16 5/8 INCH I.D. x 12 INCH  
CONCRETE

NO. 3 SAND WITH 6 x 20 MESH


BENTONITE SEAL: 50 RICH VOLCLAY PELLETS



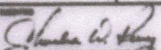
CONCRETE SEAL: READY-MIX CONCRETE

**DETAIL ①**  
**GROUNDWATER OBSERVATION WELLS (TYPICAL)**  
**SCALE: 1" = 5'**



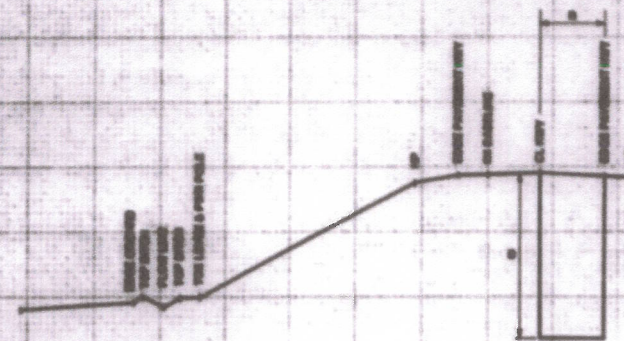
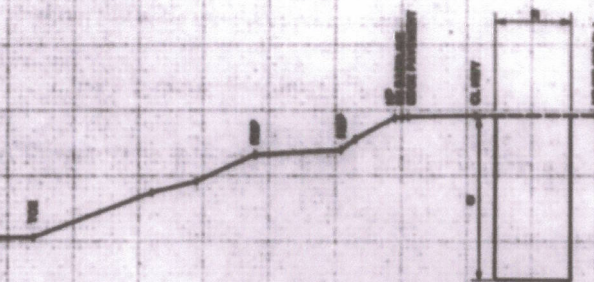
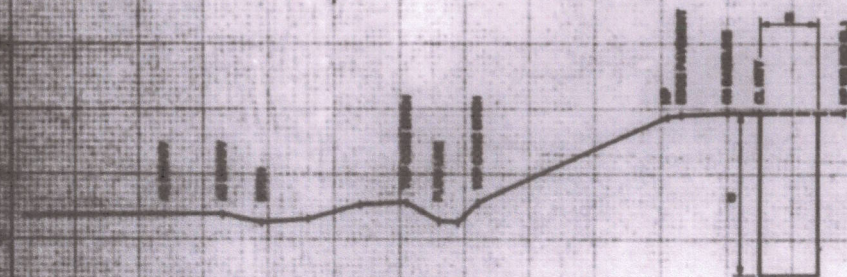
1. TWO UNDISTURBED SAMPLES OF THE BACKFILL SHALL BE OBTAINED BEFORE THE SAMPLES SHALL BE AT LEAST TWO FEET LONG AND HAVE A DIAMETER OF AT LEAST 2.5 INCHES BUT NOT MORE THAN 3 INCHES. UNDISTURBED SAMPLES SHALL BE COORDINATED WITH THE CONTRACTING OFFICER SUCH THAT SAMPLES WILL BE AVAILABLE FOR TESTING THE ENTIRETY OF THE CONTRACT PERIOD. THE TIME PERIOD BETWEEN TIMES TWO (2) AND SIXTEEN (16) DAYS AS MEASURED FROM THE DATE OF MAIL INSTALLATION.
2. THE SAMPLES SHALL BE WASHED CLEAN OF CUT FIBER, WASHED IN AT LEAST 3 LAYERS OF CUM FUM FOLLOWED BY 2 LAYERS OF ALUMINUM FOIL. SEALED IN NONTOXIC PLY PLASTIC BAGS OR EQUIVALENT IN SEALING SEAL. ALL WITHIN ONE HOUR OF BEING OBTAINED, AND THEN PLACE IN CORE BOXES. ONE SAMPLE FROM EACH HOLE SHALL BE RETAINED BY THE CONTRACTOR AND THE OTHER SAMPLE SHALL BE DELIVERED TO THE CONTRACTING OFFICER.
3. THE UNDISTURBED SAMPLES SHOULD BE OBTAINED USING 1.5 INCHERS AND TECHNIQUES SUITABLE FOR THE TYPE AND CONSISTENCY OF BACKFILL BEING SAMPLED. CORES SHALL NOT BE OBTAINED FROM THIN WALLED, DRAIN SAMPLES, BUT FROM THICK WALLED SAMPLES. THE SAMPLES SHOULD BE OBTAINED FROM THE HORIZONTAL BACKFILL.
4. UPON COMPLETION OF SAMPLING, THE HOLES SHALL BE GROUTED FROM THE BOTTOM TO THE TOP WITH SLURRY OF SIMILAR DESIGN AS USED IN THE CUTOFF WALL.

DETAIL  .  
UNDISTURBED SAMPLE HOLE  
(TYPICAL)  
SCALE: 1" = 2'

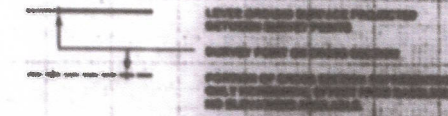
<u>AS-CONSTRUCTED</u>			
<div style="display: flex; justify-content: space-between;"> <div>  </div> <div> <div style="border: 1px solid black; padding: 2px;">             MODS: REVISD AS-CONSTRUCTED           </div> </div> <div> <div style="border: 1px solid black; padding: 2px;">             MOD:           </div> </div> </div>			
 <div style="display: inline-block; vertical-align: middle;"> <b>Wahler Associates</b>  <small>SACRAMENTO DISTRICT, OFFICE OF ENGINEERS SACRAMENTO, CALIFORNIA</small> </div>		<div style="border: 1px solid black; padding: 5px;"> <p align="center"><b>DEPARTMENT OF THE ARMY</b>  <b>SACRAMENTO DISTRICT, OFFICE OF ENGINEERS</b>  <b>SACRAMENTO, CALIFORNIA</b></p> </div>	
<div style="border: 1px solid black; padding: 2px;">             NAME: MR. MOORE           </div>		<div style="border: 1px solid black; padding: 10px; text-align: center;"> <p><b>SACRAMENTO URBAN AREA LEVEE RECONSTRUCTION PROJECT, CALIFORNIA</b></p> <p><b>NATOMAS SOUTH SLURRY CUTOFF WALL DETAILS</b></p> </div>	
<div style="border: 1px solid black; padding: 2px;">             NAME: M.T. TANCZY           </div>			
<div style="border: 1px solid black; padding: 2px;">             NAME: C.M. PENNY           </div>			
<div style="border: 1px solid black; padding: 5px;">  </div>		<div style="border: 1px solid black; padding: 2px;">             DATE: 20 January 1966           </div>	<div style="border: 1px solid black; padding: 2px;">             SHEET: 25           </div>
		<div style="border: 1px solid black; padding: 2px;">             AS SHOWN:           </div>	<div style="border: 1px solid black; padding: 2px;">             SPEC. NO.: 5572           </div>
		<div style="border: 1px solid black; padding: 2px;">             FIG. NO.:           </div>	<div style="border: 1px solid black; padding: 2px;">             50-4-5633           </div>



## FUNCTION ANALYSIS - VE PAYS

SECTION ①  
STA. 291+00SECTION ②  
STA. 304+00SECTION ③  
STA. 316+00

## LEGEND



## NOTES

1. DEPTH OF CUTTING WALL, SEE SHEET A, SHEET B FOR DEPTH - 2.
2. RADIUS OF ALL CURVES, SEE SHEET A, SHEET B FOR RADIUS - 3.
3. LEVEE CROSS SECTION AND ELEVATION OF CREST, SEE SHEET A, SHEET B FOR ELEVATION - 4.
4. ORIGINAL GROUND ELEVATION, SEE SHEET A, SHEET B FOR ELEVATION - 5.
5. SEE SITE PLAN, LEAVING TO SHEET 1 FOR EXPLANATION OF THE FIELD NOTES, SEE SHEET 1 FOR EXPLANATION OF THE FIELD NOTES, SEE SHEET 1 FOR EXPLANATION OF THE FIELD NOTES.

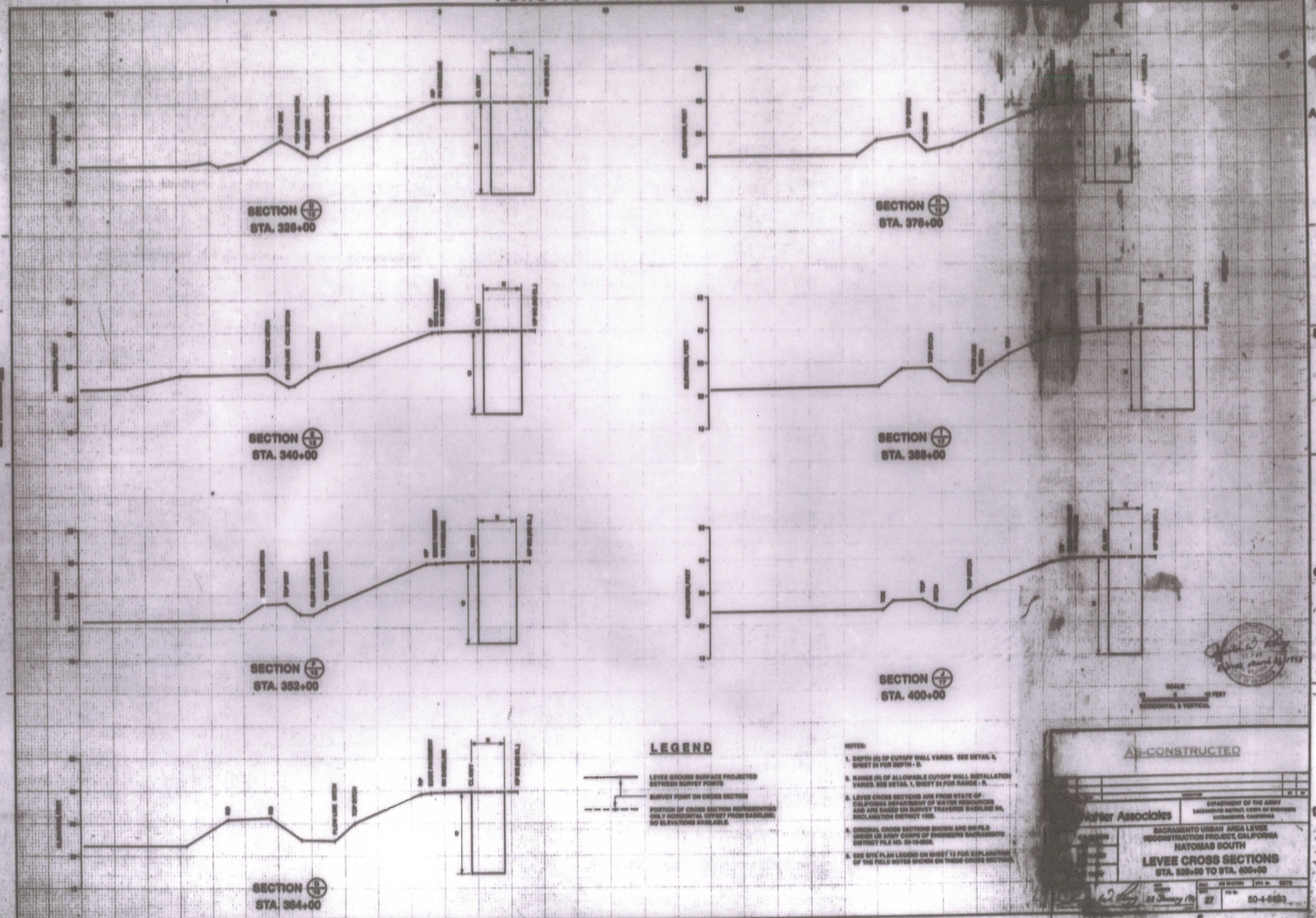


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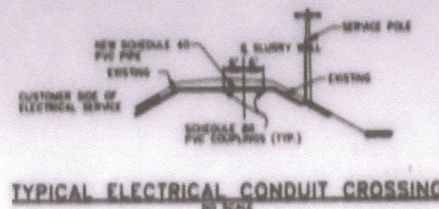
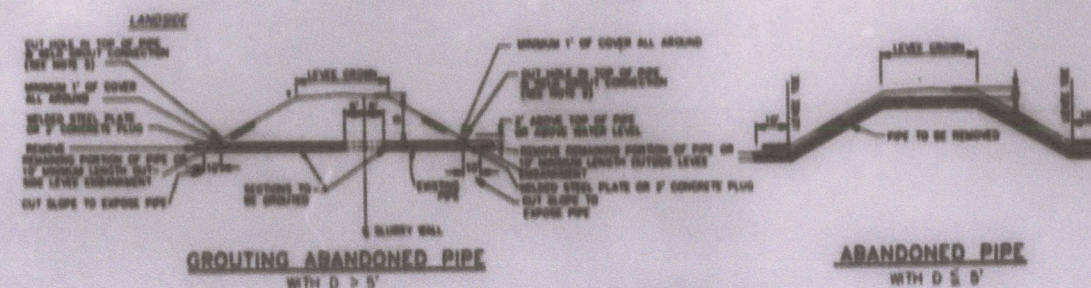
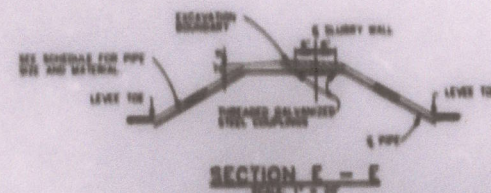
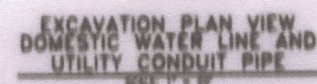
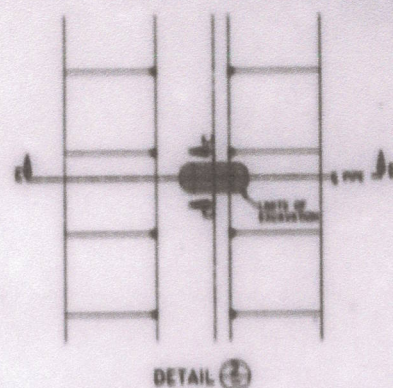
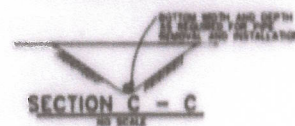
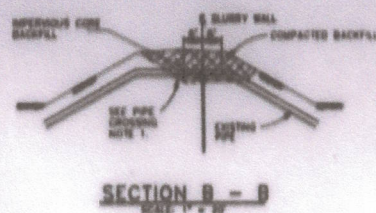
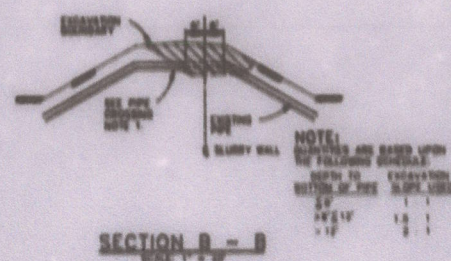
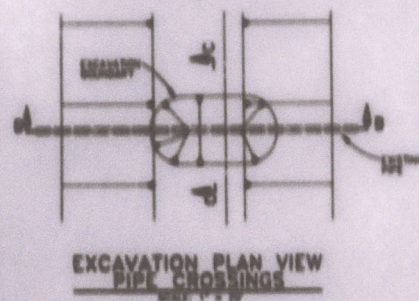
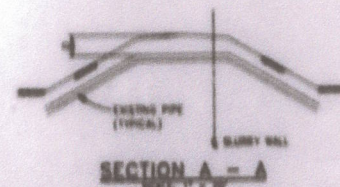
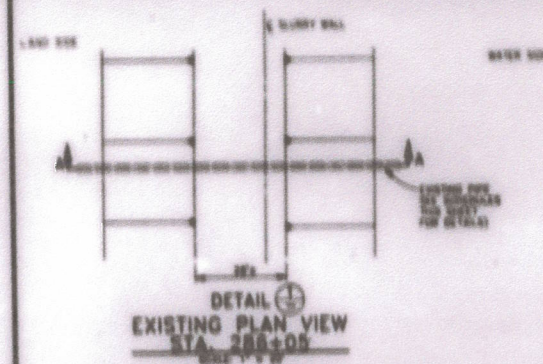
		DIVISION OF THE ARMY ENGINEERING DISTRICT, SACRAMENTO, CALIFORNIA	
SACRAMENTO LEVEE AREA RECONSTRUCTION PROJECT, CALIFORNIA NATIONAL ROUTE 99		LEVEE CROSS SECTIONS STA. 291+00 TO STA. 316+00	
SA. 10000 ST. 10000 ST. 10000	SA. 10000 ST. 10000 ST. 10000	SA. 10000 ST. 10000 ST. 10000	SA. 10000 ST. 10000 ST. 10000



## FUNCTION ANALYSIS - VE PAYS





**FUNCTION ANALYSIS - VE PAYS**

AGRICULTURAL PIPE CROSSINGS						
STATION	PIPE SIZE & QUANTITY	DEPTH	MATERIAL	USE	COMMENTS	
100+00	12"	1	1'-12"	1.50	IRRIGATION	SEE NOTE No.
101+00	8"	2	2'-8"	STEEL		
101+00	12"	2	12'-0"	1.00	IRRIGATION	SEE NOTE No. 1

[illegible]

STATION	POP.	POP. DENSITY	POP. GROWTH
1980-84	27	8	100
1985-89	287	8	100
1990-94	247	8	100
1995-00	157	27-37	100

[illegible][illegible]

POSSIBLE PIPE CROSSING SCHEDULE	
STATION	
200+00	3+00+30
200+04	3+01+30
300+32	3+02+10
300+40	3+03+00
310+51	3+03+10
321+75	3+04+00
330+00	

## PIPE CROSSING NOTES:

- [illegible]

**ABANDONED PIPE NOTES:**

- [illegible]

## 7 UTILITY GAS LINE NOTED

1. AT PRESENT, THERE IS NO PERSONNEL WHOSE DUTY IS TO PROTECT  
THE PERSONS OF THE PRESIDENT AND VICE PRESIDENT DURING THE VISIT  
TO THE UNITED STATES OF AMERICA.
2. THE PERSONNEL WHOSE DUTY IS TO PROTECT THE PRESIDENT AND VICE PRESIDENT  
DURING THE VISIT TO THE UNITED STATES OF AMERICA IS THE PERSONNEL  
WHOSE DUTY IS TO PROTECT THE PRESIDENT AND VICE PRESIDENT DURING  
THE VISIT TO THE UNITED STATES OF AMERICA.

### UTILITY CONDUIT NOTES

1. WOMEN SHALL BE GIVEN THE SAME RIGHTS AS MEN

## PROCEDURE FOR RELOCATING ELECTRICAL / TELEPHONE CONDUIT







- [illegible]

#### PROCEDURE FOR RELOCATING DIRECT BURIAL CONDUCTOR WITH NEW CONDUIT

**PROCEDURE FOR RELOCATING DIRECT MINOR CONDUITING:** THE CONTRACTOR SHALL FOLLOW THE SAME GENERAL PROCEDURE AS FOR RELOCATING ELECTRICAL TELEPHONE CONDUIT. THE CONTRACTOR SHALL EXCAVATE AND REMOVE EXISTING CONDUIT BETWEEN SERVICE POLE AND THE CURB. THE CONTRACTOR SHALL COMPLETION OF THE GURBY WALL THE CONTRACTOR SHALL PLACE THE CONDUIT BETWEEN THE WIND POINTS OF THE LEVIES. THE UTILITY WILL COMPLETE THE CONDUIT ON THE LEVY SLOPES AND REPLACE THE CONDUIT.

NOTE: A CONDUCTIVITY SURVEY INDICATED A PIPE CROSSING THE LINE AT THE ABOVE LOCATION. SUBSEQUENT FIELD AND PERMIT REVIEWERS FAILED TO CONFIRM THE EXISTENCE OF A PIPE. IF A PIPE IS ENCOUNTERED IT SHALL BE RELAYED AS DIRECTED BY THE CONTRACTING ENGINEER.

## AS-CONSTRUCTED

					
<p>DEPARTMENT OF THE ARMY SACRAMENTO DISTRICT, CORPS OF ENGINEERS SACRAMENTO, CALIFORNIA</p>					
<p>PIPE &amp; CONDUIT</p>					
<p>SACRAMENTO URBAN AREA LOWER RECONSTRUCTION PROJECT, CALIFORNIA</p>					
<p>PIPE &amp; CONDUIT RELOCATIONS DETAILS AND SCHEDULES</p>					
<p>30 January 1971</p>					
<p>30 00-4-5000</p>					